

The Donatist Schism

Controversy and Contexts

Edited by Richard Miles



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The Donatist Schism

Controversy and Contexts

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The Donatist Schism

Controversy and Contexts

edited by
RICHARD MILES

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For Brent Shaw

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THE DONATIST CONTROVERSY: PARALLEL HISTORIES, MULTIPLE NARRATIVES

Richard Miles

In 2007 an innovative new history titled *Side by Side: Parallel Histories of Israel-Palestine* was written by a group of Israeli and Palestinian teachers. Finding it impossible to produce an integrated single historical narrative that was acceptable to the majority of Israelis and Palestinians, the authors decided on a volume with parallel Israeli and Palestinian historical narratives on alternating pages.¹ Parallel histories, although rarely favoured as a form, have a long tradition. Notable examples include Robert Henry's *A History of Britain from the Invasion of the Romans under Julius Caesar*, published between 1771 and 1793, that ambitiously included seven simultaneous narratives for each period,² and much more recently Karl Jacoby won many plaudits for 'Shadows at Dawn', his account of the Camp Grant massacre that draws out the distinct voices of the victims and perpetrators of that notorious incident.³ The shrill binary, oppositional tenor of much of the rhetoric that exists around the Donatist Controversy, an ecclesiastical dispute whose intractability and bitter rancor was notable even by the testing standards of the early Christian church, on first glance seems to make it a suitable candidate for such parallel historical treatment. Yet, even putting aside the interpretative problems created by the mono-partisan and fragmentary nature of much of the surviving evidence, it is also clear that to reduce the Donatist Controversy to twin 'Catholic and 'Donatist' parallel accounts amounts to a gross oversimplification. Behind the facade of sectarian partisanship existed a much more complex web of multiple, often competing narratives.

This collection of essays places the Donatist Controversy into a series of 'contexts' – theological, ecclesiastical, political, socio-economic,

1 Adwan et al. 2007.

2 Salber Philips 2000, 3–5.

3 Jacoby 2008. I am grateful to Jonathan Conant for bringing this work to my attention.

legal and cultural. Those ‘contexts’ involve examining how the Donatist Controversy helped to mould the religious, political and social landscapes of late Roman North Africa and how the dispute was defined by the particular environments in which it was conceived, and continued to exist for several centuries. These ‘contexts’ are largely produced and defined by narratives, both textual and material. The extent that these narratives can be identified and untangled from a dominant ‘Catholic’ triumphalist narrative is examined in some shape or form in all the essays in this volume.⁴ A basic problem of classification exists; we have used the terms ‘Catholic’ and ‘Donatist’ throughout this volume, yet they are clearly loaded and problematic labels that reflect the victorious Caecilianist faction’s ultimate ability to define itself as the true Catholic church of North Africa whilst simultaneously delegitimising the claims of their rivals. The limitation of these terms, however, is still preferable to less pejorative terms such as ‘dissident’, which fail to convey forcefully enough the reality of a grouping with a strong sense of its own internal logic and identity rather than merely an opposition to an established, dominant position.⁵

Locating ‘Donatist’ Narratives

As a number of contributions to this book acknowledge, locating ‘Donatist’ narratives is a process fraught with difficulties. Dearn cautions that attempts to recover a Donatist narrative can lead to unwarranted judgements on the ownership of particular texts and in some cases even to their creation by modern scholarship.⁶ Leone illustrates how the textual record has often exerted undue influence on the identification and analysis of supposedly Donatist sites.⁷ Other chapters highlight the problems of reducing the religious, political, cultural and socio-economic complexities of late antique North Africa to a binary sectarian narrative. Moss importantly observes that the Donatist Controversy highlights the continued centrality of martyrdom to the Christian experience in late Roman Africa, despite the often vitriolic and divisive rhetoric.⁸ Her analysis shows that the

4 See Tilley 1996, for English translations of possible Donatist martyr texts.

5 *Contra* Shaw 2011.

6 Dearn, this volume.

7 Leone, this volume, 317.

8 Moss, this volume.

reading out of martyr's passions and the staging of celebratory meals were important for the preservation of community cohesion and identity in late Roman Africa.⁹

These identities were clearly far more complex and multifaceted than a dichotomous sectarian divide. Dearn emphasises that many of the pre-Constantinian martyr stories were claimed and utilised by both Catholics and Donatists and questions whether the famed slogan *Deo Laudes* was as exclusively Donatist as a number of scholars have maintained.¹⁰ Leone's chapter underlines the failure of the sectarian model for the material record where no real architectural or liturgical differences between Catholics and Donatists exist and previous distinctions such as the latter's supposed predominance in rural areas fail to bear up to scrutiny.¹¹

Donatism was clearly not just a derogatory label or modern construct but a body of ideas, beliefs and practices in which significant numbers of the inhabitants of late Roman North Africa were at least partially invested. Although the overwhelming majority of the texts that have survived were written by or represented the views of their Catholic rivals, the Donatist community was never completely silenced. As Miles, Dearn and Moss elucidate, Donatist sermons, martyr texts and historical accounts have survived, although in limited quantities and anonymously attributed. The extent to which Donatist voices (albeit remastered to varying degrees) are captured in the works of their Catholic rivals, anxious to present themselves as being involved in vigorous (but ultimately victorious) dialogue with their opponents, is underlined in the contributions of Ebbeler, Rebillard and Miles.¹² Leone contends that similar processes might have been taking place in the material record as the Catholic church attempted to lessen the impact of well-established Donatist martyr cults by pairing them with universally accepted non-African martyrs and proto-martyrs such as Peter, Paul and Stephen.¹³ Other texts might provide a more neutral representation of Donatist actions and motivations than previously thought. McLynn, for instance, argues that the 411 Conference of Carthage and its proceedings were not the *fait accompli* or propaganda document that they are often portrayed as being,

9 Moss, this volume, 56–60.

10 Dearn, this volume, 75–6. *Contra*, most recently, Shaw 2011.

11 Leone, this volume.

12 Ebbeler, Rebillard & Miles, this volume.

13 Leone, this volume, 343.

but instead offer important insights into Donatist attitudes and strategies, and the tensions within the Catholic delegation.¹⁴

A number of chapters in the volume question whether the deluge of polemical literature from North Africa's ecclesiastical elites, imperial legislation and the compendious proceedings of the 411 Conference of Carthage present an exaggerated picture of a society in a constant state of sectarian stasis. The experience of recent sectarian conflicts shows varying levels of commitment amongst those outside the leadership groups, and that this commitment ebbs and flows in response to particular events and both internal and external factors. That a certain amount of quiet ambivalence on the part of Africa's secular population was drowned out by the noisy partisanship of Catholic and Donatist church hierarchies remains largely hypothetical but plausible.¹⁵ However, despite the hierarchical 'top-down' tenor of the religious and legal rhetoric surrounding the Donatist Controversy, the concerted campaigns of major figures such as Parmenian and Augustine to reach out in simple terms to congregations highlight how important it was for both sides to mobilise and maintain popular support irrespective of how soft-centred and mercurial that support could be.¹⁶ As a number of the essays illustrate, behind the homespun homilies and barnstorming religious ditties produced by both sides lay the hard-edged fact that these allegiances had real consequences for the inhabitants of late Roman North Africa, whether through increasingly hardline imperial censure, the violence that occasionally broke out in their communities or ostracism and estrangement from family and friends.¹⁷

Text, Controversy and Community

Despite the well-rehearsed legalistic claims and counter-claims and the often exaggerated and lurid distancing rhetoric that defined much of the 'dialogue' between Catholics and Donatists, 'Donatist' literature proves that important and substantive differences did exist between the two parties, particularly around issues of ecclesiology, liturgy and martyrdom. Edwards issues an important reminder of the real and substantive differences in

14 McLynn, this volume.

15 Conant, this volume, 350, Miles, this volume.

16 Grey, this volume, 136–8, Miles, this volume, 249–53.

17 In particular Grey, Lenski and Pottier.

Catholic and Donatist ecclesiology and theology, particularly with regards to the catholicity of the Christian church.¹⁸ Moss shows how Donatists and Catholics often embraced the same martyr stories but followed very different strategies to harness the power of these stories for their own respective causes. Both Donatists and Catholics worked hard to demonstrate their differences particularly regarding rebaptism and the pollution of the Eucharist caused by communion with *traditores*.¹⁹ Important points of difference also existed within the Catholic and Donatist camps; the high-profile dispute between the Donatists Tyconius and Parmenian and the harsh treatment meted out to individuals such as Maximian and his supporters were later exploited by Augustine to undermine the image of Donatist unity.²⁰

These differences were represented and reified largely through texts as both Catholics and Donatists engaged in debate and solicited support for their respective causes both inside and outside Africa.²¹ Miles argues that, for the Donatists in particular, texts were used to reinforce the separateness of their community. Through the production of histories, sermons, letters, songs, treatises, martyr tales, stenographic accounts, inscriptions and legal documents North African ecclesiastical elites developed and controlled textual communities – ‘groups whose collective identity and internal coherency were policed and reaffirmed through texts’.²² Dearn and Moss highlight how the passions of post-Constantinian Donatist martyrs such as Maximian, Isaac and Marculus became key rallying points for pressured Donatist communities and their leaders.²³

Ebbeler identifies a key change in how the Catholics approached debate and utilised texts against their Donatist opponents post-405 as Augustine, disillusioned with the Donatists’ understandable reticence to engage with him, started to manufacture dialogue between himself and Donatist leaders by responding to treatises and letters that were not addressed to him and also by inserting himself into Donatist correspondence.²⁴ In a similar

18 Edwards, this volume.

19 Moss, this volume, 60–4.

20 Ebbeler, this volume, 287–9; 293–5.

21 E.g. see Ebbeler, this volume. Rebillard, this volume, for Augustine of Hippo’s enthusiasm for engaging in dialogue with Donatists from a broad range of backgrounds on these and other issues.

22 Miles, this volume, 253, n.9.

23 Dearn, this volume, 80–7; Moss, this volume, 66.

24 Ebbeler, this volume, 285–6.

vein, Miles highlights how Augustine and the Catholics increasingly used such ‘dialogue’ as a weapon by producing stenographic records of conversations with Donatists. These new texts undermined the notion of a separate Donatist textual community by presenting the Donatists as mere miscreants in a unified Christian world.²⁵ Miles also reveals the somewhat symbiotic nature of these manufactured exchanges, in which Donatists on occasion used these texts to bolster their self-image as the pure Church of the Martyrs by presenting themselves as the stoical victims of Catholic persecution.²⁶

As Conant’s article reveals, these strong oppositional narratives generated by the Donatist Controversy continued to exercise a significant influence on how religious and inter-communal communication and conflict were imagined and represented up until the last decades of the sixth century and probably beyond. Most striking in this regard are their adoption and adaption by an increasingly strong, self-confident, African Homoian church in the Vandal period.²⁷

Trans-Mediterranean Contexts

Despite the resolutely North African flavour of the Donatist Controversy, the narratives associated with it were not geographically restricted. As Edwards argues, relations with the wider Christian world were a key element of the schism. The Catholic faction’s communion with Christian churches beyond Africa’s shores stood in stark contrast to the isolationism of their Donatist rivals.²⁸ Edwards also demonstrates how the Donatist schism had important ramifications for the later empire-wide Pelagianist Controversy, as it was through his active engagement with numerous Donatist opponents that Augustine not only honed his skills as a controversialist but also developed a number of ecclesiological and doctrinal positions pertinent to his bitter struggle with Pelagius and his supporters.²⁹

Although essentially an ecclesiological dispute restricted to North Africa, the consistent propensity of the leading protagonists in the Donatist

25 Miles, this volume, 268–71.

26 Miles, this volume, 280–1.

27 Conant, this volume.

28 Edwards, this volume, 102–7.

29 Edwards, this volume, 117–9.

schism to solicit the support of the imperial authorities also lent it a much wider significance, particularly as a testing ground for governmental intervention in religious controversies. As Lenski reveals in his essay, both Catholics and Donatists became increasingly adept at lobbying for support from the imperial authorities; Donatist reverses in the early fifth century were in part the result of a failure to develop contacts at the imperial court at Ravenna as strong as the Catholics'.³⁰ Yet, despite these setbacks, Conant shows that the Donatists were still strongly connected into the imperial and ecclesiastical structures of the Mediterranean world after the collapse of Roman imperial power.³¹ Conant goes on to explain how the notoriety of the Donatist Controversy, a reputation created in large part by the effective Catholic lobbying of both the imperial court and overseas churches, paradoxically created a situation where 'African orthodoxy was inherently suspect'.³² The extent to which this exclusively African ecclesiastical schism was fuelled by outside attention and intervention is perhaps proven ultimately by the fact that it was only when eastern Roman imperial power in North Africa faltered and subsequently died that Donatism finally disappeared from view.

Other Narratives

Whatever the levels of sectarian enthusiasm or antipathy, it is clear that a multiplicity of diverse but intertwined identities and narratives that were not merely defined as either 'Donatist' or 'Catholic' also existed in late Roman North Africa. Yet these narratives were sometimes informed by, or intricately connected to, the sectarian tensions generated by the Donatist Controversy. In his chapter Grey highlights the diversity and dynamism of the North African countryside, showing how snapshots of these rural communities reveal a surprising level of assertiveness in negotiating with those from a much higher social status who possessed much greater power.³³ Pottier emphasises the important role that ascetic practice played in generating that assertiveness.³⁴ Grey argues that there were more options

30 Lenski, this volume, 187–9.

31 Conant, this volume, 348–9.

32 Conant, this volume, 361.

33 Grey, this volume.

34 Pottier, this volume.

available to rural communities than has often been supposed, and that they were often far more insistent in pushing a broad range of agendas. He also reveals how the Donatist Controversy acted as an important catalyst in allowing rural communities to be assertive in their demands from competing Catholic and Donatist factions.³⁵

The Donatist Controversy illuminates another key set of narratives that involves the legal and administrative apparatus of the imperial government and the North African ecclesiastical hierarchies' responses to both its potential and limitations. Lenski shows how it was often the threat of violence and civil instability rather than religious delinquency which acted as a key driver for imperial intervention.³⁶ Despite the existing strong legal framework, Lenski highlights the potentially capricious nature of a system that had at its centre a ruler who was 'the source of all law',³⁷ arguing that awareness of the potential for changing imperial minds and, by extension, the law created a particularly litigious environment whereby both Donatists and Catholics repeatedly attempted to manipulate the legal system to further their respective causes.³⁸ Grey shows how at a local level imperial power could also be reduced to the person of one man – whether a soldier or minor official.³⁹ The precariousness of not only imperial law but also those who were charged to deliver it is highlighted in McLynn's article. McLynn emphasises the extent to which the elaborate procedure created for the record of the 411 Conference and its subsequent publication was not the work of Catholic propagandists but the judge Marcellinus, one of whose motivations was for the document to act as 'an insurance policy' against scrutiny from the imperial court at Ravenna.⁴⁰

Other intriguing narratives that suggest potentially fruitful future avenues of research can be faintly discerned in the textual and material records of the Donatist Controversy. The role that regionalism played in the Donatist Controversy has been little explored since Frend's overly programmatic study.⁴¹ Leone underlines Numidia's 'unique position' as the province where the Donatist movement started and where the numbers of

35 Grey, this volume, 136–41.

36 Lenski, this volume.

37 Lenski, this volume, 166.

38 Lenski, this volume, 170–86.

39 Grey, this volume, 139.

40 McLynn, this volume, 225.

41 Frend 1952.

Catholic bishops appears to have dropped prior to the 411 Conference.⁴² Leone suggests that Donatist bishops might have played an important role in the economic life of a region that contained large numbers of rural estates.⁴³ Pottier contends that in some areas of southern Numidia, where there was something of a power vacuum, the *circumcelliones* took on the patronal duties vacated by Donatist bishops and clergy.⁴⁴ Leone makes the important observation that, although their Donatist provenance cannot often be proved, the vast majority of references to supposed Donatist slogans such as *Deo Laudes*, *Bonis bene* and *Mundus Munditia* are found in Numida.⁴⁵ This raises the question of whether these catchphrases were in fact typically Numidian rather than Donatist. McLynn's article on the 411 Conference develops the intriguing theory that the Numidian bishops were excluded from the Catholic leadership group and decision-making progress.⁴⁶ Was this because the Donatist Controversy placed anything or any person associated with Numidia under suspicion? As Leone concludes, a study that examined the Donatist Controversy within a regional (particularly a Numidian) context might well be a fruitful area for future research.⁴⁷

One of the most important issues facing any scholar of the Donatist Controversy is the dominant role played by Augustine in the creation of the historical narrative that we now possess. Augustine's literary output on the Donatist Controversy dwarfs that of any other contemporary commentators. Rebillard issues the important reminder that Augustine continuously revised and reordered his narrative on Donatism.⁴⁸ Both Dearn and Moss reflect on how much of our understanding of North African Christian martyrdom derives from Augustine, despite some of his views going against commonly held contemporary opinion.⁴⁹ Both Ebbeler and Rebillard show how Augustine quickly responded to and effectively exploited important contemporary events and developments, such as the Unity Edit issued by Honorius.⁵⁰ They also depict a man increasingly frustrated by the Donatists' increasing reticence to engage

42 Leone, this volume, 342–3.

43 Leone, this volume, 327–8.

44 Pottier, this volume, 150–7.

45 Leone, this volume, 331.

46 McLynn, this volume, 233–7.

47 Leone, this volume, 342–3.

48 Rebillard, this volume.

49 Dearn, this volume, 70–1; Moss, this volume, 54, 59–63, 67–8.

50 Ebbeler, this volume, 285, 287.

with the Catholics' most effective disputant.⁵¹ Lenski highlights the importance for the Catholic cause of Augustine's understanding of the importance of accessing the channels of secular power and stirring them into action against the Donatists.⁵² McLynn examines how Augustine 'looms large, both in the Conference proceedings of 411 but also their subsequent reception'.⁵³ Yet both McLynn and Rebillard remind us that Augustine often worked as part of a Catholic team – particularly the troika of Aurelius, Alypius and himself.⁵⁴

A number of contributions reflect not only on how Augustine helped to define the Donatist Controversy but also on how the Donatist Controversy moulded Augustine. Edwards traces how many of the ecclesiological positions taken up by Augustine during the Pelagianist Controversy had been developed during his struggle against the Donatists.⁵⁵ On a more personal level Ebbeler argues that it was the Donatists' refusal to engage with Augustine that led him to start to improvise dialogue with his opponents, a tactic that he later used against Pelagianist opponents.⁵⁶

Modern Narratives

Whitehouse shows us how the modern historiography of the Donatist Controversy can be read as a succession of grand narratives that have simultaneously shaped and reflected our changing perceptions of the schism. In this introduction I shall limit myself to three scholarly works that I think have had a particular intellectual influence on this volume.

Protestant interest in nonconformism and the relationship between church and state has meant that the Donatist Controversy is one of the few episodes in the history of the ancient Maghreb that has attracted equal interest in the Anglophone and Francophone scholarly communities. The extraordinary continuing influence of William Frend's classic study *The Donatist Church* can still be seen in this volume some 60 years after its publication. Although many of Frend's hypotheses have been successfully

51 Ebbeler, this volume, 285; Rebillard, this volume.

52 Lenski, this volume, 186, 188–92.

53 McLynn, this volume, 220–1.

54 McLynn, this volume, 232, Rebillard, this volume.

55 Edwards, this volume, 117–9.

56 Ebbeler, this volume, 285–6.

challenged, particularly those that saw Donatism as a rural movement deeply embedded in traditional ‘pagan’ religious traditions, his insistence that the Donatist movement could only be understood within the context of the religious and cultural, political and social landscapes of North Africa remains unimpeachable.⁵⁷ Although much of the evidence itself remains problematic, Frend’s willingness to use archaeological material extensively was also pioneering.⁵⁸

The influence of Maureen Tilley’s textual approach to the Donatist Controversy is in evidence throughout this volume. Tilley’s work has revolutionised our understanding of the Donatist textual community and its self-identification as the people of the Bible and association with martyrdom. Equally importantly, Tilley has shown how Donatist identity was in a state of constant evolution that, despite moments of introspection, was largely shaped by its current relationships with the imperial authorities, the Catholics and the wider Christian church.⁵⁹

This volume appears in the wake of Shaw’s huge study of sectarian violence in late Roman North Africa, *Sacred Violence: African Christians and Sectarian Hatred in the Age of Augustine*, and understandably many of the contributions contain either direct or indirect responses to this work.⁶⁰ *Sacred Violence* has once more redefined the nature and context of academic debate around the Donatist Controversy. The book examines religious sectarianism in late antique North Africa primarily through the prism of violence. Shaw’s focus, however, is not limited to actual physical violence (of which he argues that there was surprisingly little), but the significant impact that the spectre of violence had on the language, culture and behaviour of the population of late Roman Africa.⁶¹ It is Shaw’s views on the nature and origins of the *circumcelliones* that attracts most direct comment in this volume. Lenski agrees with Shaw’s analysis of the *circumcelliones* as casually employed seasonal agricultural workers used by Donatist bishops to protect their interests but then typified by the Catholics as seeking to overthrow the established, religious, social, economic and political order. Pottier, however, regards the *circumcelliones* as a group defined by asceticism and ‘martyrial’ status who increasingly

57 Brisson 1958 was also an important work in this regard.

58 Leone, this volume, 319–30.

59 Tilley 1997a.

60 Shaw 2011.

61 Shaw 2011, chapters 14 and 15.

took on the role of defending the Donatist community, particularly the property of the Donatist church, as it came under more and more pressure from the Catholic church and the imperial authorities.⁶² Although many of the initial reviews of Shaw's book have understandably concentrated on its treatment of violence in the late Roman world, *Sacred Violence* has made an equally profound contribution to our understanding of how both Catholics and Donatists used textual mediums to try and mobilise support both inside and outside North Africa.⁶³ The influence of Shaw's thinking in this regard is particularly evident in the contributions of Ebbeler, Lenski, McLynn and Miles in this volume.

The essays in this volume do not claim to offer the final word on any aspect of the Donatist Controversy, but seek to add to a series of debates that have been enlivened in recent years by the publication of a number of significant studies.⁶⁴ As Whitehouse sets out, and the contributions in this volume underline, there are numerous aspects of the Donatist Controversy that present themselves as fruitful avenues for future scholarly research. The most pressing challenge, however, is surely issued by Edwards when he observes that researchers, eager to examine ecclesiastical, legal, political and social aspects of the schism, have too often ignored important theological issues.⁶⁵ It is hoped that this collection of essays will not only act as a significant contribution to the study of the Donatist Controversy and late Roman North Africa but also lay down markers for future research in an area where there is still much to be done.

62 Pottier, this volume.

63 Shaw 2011, chapters 3, 7, 9 and 10. For reviews of *Sacred Violence* see, in particular, Ando et al. 2013, 203–15 and Tilley et al. 2013.

64 As well as Shaw 2011, Lesley Dossey's *Peasant and Empire in Christian North Africa* (2010) deserves particular mention. A new edited collection on the Donatist Controversy has also been published (Dupont et al. 2015) which unfortunately arrived too late for consideration in this volume.

65 Edwards, this volume, 101–2.

THE COURSE OF THE DONATIST SCHISM IN LATE ROMAN NORTH AFRICA

*John Whitehouse*¹

Introduction

The victory of the Emperor Constantine over Maxentius at the Battle of the Milvian Bridge in October 312 marked the emergence of Constantine towards becoming sole ruler of the Roman empire. It also marked the Emperor's embracing of the Christian religion, hitherto variously permitted with disdain or periodically actively suppressed.²

Yet a disputed election for the bishop of Carthage, the largest Roman city in North Africa and capital of the province of Africa Proconsularis a few years earlier, either in 312 or 307,³ at the advent of the Christian triumph in the Roman empire, resulted in a schism which continued up until the extinguishment of Christianity in North Africa after the Arab–Muslim conquests in the late seventh century. This schism endured for over 350 years, but it was one confined to the North African provinces of the Roman empire.

The purpose of this chapter is to provide a discussion of nomenclature, sources and the spatial distribution of Donatism and a brief narrative summary and chronology of the Donatist Schism in late Roman North Africa, placing these events in the broader context of both North Africa and the late Roman Empire as a whole.

1 The Author wishes to thank Jonathan Conant for his helpful comments and his encouragement.

2 Cameron 2005.

3 The actual date is unclear. Some scholars, such as Frend 1952, 143, place the election in 312. However, Decret places it in 307 (see Decret 2009, 102–3). For a discussion on the two alternative chronologies, the long chronology and the compressed chronology, of the disputed election see Shaw 2011, 812 ff.

Nomenclature

The schism in the Christian Church in North Africa following the disputed election of the bishop of Carthage in 307, resulted in two opposing groupings within the church. The naming of these groups by scholars has generally followed the nomenclature used by Augustine of Hippo, one of the chief protagonists for one of the groupings. Augustine refers to his grouping as the Catholic Church and the other as Donatists or the party of Donatus, who was one of the rival bishops of Carthage from 313 until his death c. 355.⁴ This followed the general practice for the naming of alternative groupings that challenged the so-called official church as recognised by imperial authorities as heretics after the names of key persons associated with the alleged heretics, such as Arianism (after Arius of Alexandria), Manicheism (after Mani) and Pelagians (after Pelagius). This practice of naming sought to denigrate such groupings by identifying their source as human, as opposed to divine.⁵ Prior to the use of the term Donatist they were categorised as ‘Rebaptisers’ in the early days of the schism, but, as the division solidified and hopes of any reconciliation faded, their opposing group focused on using the heretic formula for nomenclature.⁶ The so-called Donatists rejected it as their name, as was made clear by their vociferous complaints at the use of this term at the Conference of Carthage in 411, where they simply insisted they were the Catholic Church or the Church of Truth.⁷

Likewise, the so-called Donatists applied terms of abuse to their opposing group, labelling them ‘*traditores*’ or ‘handers-over’, based upon the surrendering of holy books and objects during the Great Persecution under Emperor Diocletian.⁸

Shaw addresses this problem of nomenclature as follows:

My approach will be to avoid name-calling as much as possible. ... Although both parties were Catholic, I have called the Aurelian-Augustinian church ‘Catholic’, because this was their success-in-power identification of themselves. Their opponents are more difficult to designate with any neutral term. The

4 Brown 2000, 210.

5 Lyman 2007, 296–316; Shaw 2011, 343.

6 Shaw 2011, 343–4.

7 Shaw 2011, 562–4.

8 Chadwick 1998, 583.

word ‘Donatist’ should be avoided since it was nothing more than a perjorative label foisted on them by the Catholics.⁹

Shaw indicates that he toyed with the term ‘African Church’, but discarded this on the grounds that Catholics in Africa would not have considered themselves any less African than their opponents. By default he uses the term dissident or dissenting party, using an imperial perspective that they disagreed with the empire-wide church, even though on their home turf they were probably the larger of the opposing groups.¹⁰ However, their majority status in North Africa makes Shaw’s alternative description awkward. Ramsay MacMullen’s approach to the question of nomenclature is perhaps the most even-handed; he names each of the groups, after their principal founding bishops, as Caecilianists and Donatists.¹¹ However sensible, his nomenclature has not permeated the general literature, and hence, subject to the misgivings above, the conventional descriptors of ‘Catholic’ and ‘Donatist’ will be used for want of a more generally recognisable alternative.

Sources

The schism has the benefit of a significant quantity of contemporary literary source material. However, with that abundance comes problems. The available literary sources come from the active protagonists in the dispute, but largely from one side of the dispute – the Catholics. It is very much a case of history being written by the victors. However, Donatist literary sources can potentially be reconstructed to a certain extent from the responses to them by Catholic writers which survive and from Donatist texts found in North Africa, Spain and France. Overwhelmingly, as noted, our surviving literary sources are the products of active participants on the Catholic side.¹² The two principal sources are the treatise of Optatus,

9 Shaw 2011, 5.

10 Shaw 2011, 6.

11 MacMullen 2009, 51.

12 Key available translations of this source material can be found in the collection of Maier 1987 and 1989; for Cyprian of Carthage in Roberts and Donaldson (1885) Volume 5; for St Augustine in Schaff (1886–8) and Dolbeau 2009; for Possidius of Calama in Weiskotten 2008; for Acts of Martyrs see Musurillo 1972 and Tilley 1996; for Optatus of Milevus see Edwards 1997, also Labrousse 1995 & 1996.

the Catholic bishop of Milevis, a town in Numidia north-west of Cirta, who wrote seven books titled 'Against the Donatists' and the later and voluminous works of Augustine, the Catholic bishop of Hippo Regius and a major protagonist for the Catholic Church. Optatus' work was written in or after 384 and deals with the origin and early years of the schism, with an appendix of ten documents written generally by the Emperor Constantine or his officials and dating from the early period of Constantine's reign,¹³ and a seventh book which appears to have been written some time later than the first six books.¹⁴ Thus Optatus' work is hardly a contemporary record, post-dating the events it describes by at least 70 years. In addition, there are records of Church Councils, including a transcript of the Conference of Carthage in 411.¹⁵

The literary works of protagonists need careful and critical analysis. Much of the early scholarship of Donatism has accepted these literary works at face value, discounting or ignoring any issues of bias, exaggeration, special pleading and ulterior purpose. All of these works need careful consideration as to whether they are consciously or unconsciously the product of such vices.

There are no works of ancient historians referring to the Donatist schism, even though Ammianus Marcellinus, in his *History*, a work largely concentrating on military affairs, gives accounts of the crushing of the revolt of Firmus in Mauretania in 372, and the period is partially covered by Zosimus in his *New History*.

The Spatial Distribution of Donatism

Assessing the spatial distribution of support for Catholics and Donatists to determine whether Donatism was primarily regionally based, centred on the uplands of Numidia and Mauretania, is difficult. Optatus of Milevis notes that the Donatists were often called 'Hillmen'.¹⁶ Shaw notes that the best available source for this task is the attendance of bishops at the Conference of Carthage in 411, but there are many deficiencies when the Conference

13 Edwards 1997, xxvii–xxviii.

14 Edwards 1997, xvii.

15 For Church Councils see Munier 1974; for the Conference of Carthage see Lancel 1972–91.

16 Optatus, *De Schism. Donat.* 2.4. Translation in Edwards 1997, 35.

record is used for this purpose.¹⁷ Using this data, Shaw presents a table with the geographical distribution of bishops mentioned at the Conference of Carthage.¹⁸ The numbers in Shaw's table have been used to prepare Table 1.

Table 1. A geographical division of all bishops mentioned at the conference of Carthage of 411.

Province	Catholic		Donatist		Total	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Tripolitania	4	40%	6	60%	10	100%
Byzacena	53	47%	59	53%	112*	100%
Proconsularis	97	58%	70	42%	167	100%
Numidia	73	46%	87	54%	160	100%
Mauretania Sitifensis	13	34%	25	66%	38	100%
Mauretania Caesariensis	18	36%	32	64%	50	100%
Unknown	15	22%	52	78%	67	100%
Total	273	45%	331	55%	604	100%

Note: Shaw (2011, 809) gives the total for Byzacena as 102. This is an error, as the numbers of Catholic and Donatist bishops in Byzacena add up to 112, which then agrees with the total for all of North Africa of 604.

From this table, the following conclusions can be drawn:

- Donatist bishops (and by inference their supporters) are widespread throughout all the North African provinces and are not confined or particularly concentrated in Numidia.
- Catholic bishops (and by inference their supporters) are distributed throughout the North African provinces, but with a significantly higher concentration in Africa Proconsularis.
- Donatist bishops (and by inference their supporters) are in the majority in all provinces, except Proconsularis.

¹⁷ Shaw 2011, 807.

¹⁸ Shaw 2011, 809.

This table suggests that the concept of a Numidian heartland of Donatism is not valid. However, the table does not assist in determining whether, within provinces, there are distributional differences in the rival churches between town and country or between coastal plains and hinterlands. Alternative attempts to map the distribution of the rival churches have been made by Frend¹⁹ and Lancel.²⁰ Table 2 provides a chronology of the Donatist schism in the contexts of both North Africa and the wider Roman Empire.

Table 2. The chronology of the Donatist split in its context.

Date	Donatist /Catholic events	North African events	Events in Roman Empire
180–200	Martyrs from Scillium (180) Beginnings of Christianity in North Africa		Marcus Aurelius Emperor (161–80)
200–250	Martyrdom of Perpetua and Felicitas (203) Cyprian made bishop of Carthage (249)	Revolt of Gordian crushed by Legate Capelianus (238)	Septimus Severus Emperor (193–211)
250–300	Persecutions of Decius in North Africa with many martyrs (250–51) Persecutions of Valerian (258) Cyprian exiled to Curubis (Korba) (257) Cyprian martyred (258)	Plague in Africa (252–4)	Decius Emperor (249–51) Decius Edict of Persecution (250) Valerian Emperor (253–60) Diocletian Emperor (284–305)
300–350	Great persecution of Diocletian (303–5) Toleration granted to Christians in North Africa (305)		General Edict of Persecution issued by Diocletian (303) Galerius issues Edict of Toleration (311)

¹⁹ Frend 1952, Map 2.

²⁰ Lancel 1972–91, 1294–1536 and Map.

Date	Donatist /Catholic events	North African events	Events in Roman Empire
350–400	Caecilian elected bishop of Carthage in disputed election with Majorinus consecrated as rival bishop (312 or 307)	Revolt of L. Domitius Alexander in Africa (308–9)	Constantine Emperor (306–37)
	Donatus succeeds Majorinus as bishop of Carthage (313)		Constantine's Victory at Battle of Milvian Bridge (312)
	Council of Arles (314)		Constantine's General Edict of Toleration (324)
	Mission of Imperial legates Paul and Macarius with massacres in Numidia (347)		Constans I Emperor (337–50)
			Constantius II Emperor (337–61)
	Julian permits return of exiled Donatist clergy (362)	Revolt of Firmus (372)	Julian Emperor (361–3). Valentinian I Emperor (364–75)
	Parmenian succeeds Donatus as bishop of Carthage (363)		Valens Emperor (364–78)
	Augustine ordained presbyter in Hippo (391)		Valentinian II Emperor (375–92)
	Aurelius elected Catholic bishop of Carthage and Primian elected Donatist bishop of Carthage (391–2)		Theodosius I Emperor (378–95)
	Schism within Donatist church of Maximian against Primian (393)		Honorius Western Emperor (395–423)
400–450	Augustine elected Catholic bishop of Hippo Regius (395)	Revolt of Gildo (397–8)	Imperial court moves to Milan (402) and then Ravenna.
	Honorius issues edict condemning Donatism as heresy and issues edict of unity (405)		

Date	Donatist /Catholic events	North African events	Events in Roman Empire
	Honorius issues edict of Toleration (409)		Alaric sacks Rome (410)
	Honorius reverses edict of Toleration (410)		
	Conference of Carthage and Marcellinus bans Donatism (411)	Revolt of Heraclian and Marcellinus executed (413)	
	Augustine dies (430)	Revolt of Boniface (428) and collapse of Roman power in North Africa.	
	Vandals commence Arianization (437)	Vandals under Gaiseric invade North Africa (429)	
		Carthage captured by Vandals (439)	
450–500		Huneric Vandal King (477–84)	Romulus Augustulus last Western Emperor (475–6)
500–600		Hilderic Vandal king (523–530)	
	Catholic church restored in North Africa (534) and Donatist meetings proscribed (535)	Byzantines under Belisarius invade North Africa and capture Carthage, defeating the Vandals (533)	Justinian I Eastern Emperor (527–65)
	Revival of Donatism (565)		
600–700		Byzantines under Gregory defeated at Sufetula (Sbeitla) (647)	
		Arab capture of Carthage (692)	

Key Phases and Summary of Events in the Donatist Schism

The Arrival of Christianity in North Africa

Christianity was a late arrival in North Africa compared with other parts of the Roman empire, reaching the region in the late second century. Its arrival has not been associated with any tradition of conversion by an individual. Even though urban areas of North Africa, such as Carthage, possessed large Jewish populations since Punic times, there is no evidence that Christianity emanated from Jews in North Africa. Rather, it appears that Christianity reached North Africa probably directly from Rome.²¹ Despite its late arrival in North Africa, the uptake of Christianity was rapid and, by the mid-third century, Christianity was in the ascendancy in North Africa. But, from its start, martyrdom proved a significant feature in the traditions and memory of Christians in North Africa, with the martyrdom of a group of 12 Christians from Scillium near Carthage documented in the Acts of the Scillitan Martyrs, the first of a significant genre in North African hagiography.²² At the beginning of the third century North Africa was the home of the theologian, Tertullian, who noted the widespread distribution of Christians across all social classes.²³ Tertullian's theological outlook was of the church as a community of saints preparing for the imminent end of the world. He considered that individuals in a state of sin could not remain in the church, while all Christians must be ready for martyrdom. Tertullian's outlook was a forerunner of the outlook of the Donatists.²⁴

The North African hagiography of martyrdom reached its apogee with the martyrdom of Perpetua, Felicitas and Saturninus in 202–3. The gruesome account of the torture and death by *damnatio ad bestias* in an amphitheatre in Carthage of the noble-born and nursing mother Perpetua and the heavily pregnant Felicitas, and their faith and devotion in the face of death, was recounted in the Martyrdom of Perpetua and Felicitas and their companions. These events were seared in the memories of Christians in North Africa.²⁵

21 Rebillard 2008, 303–4.

22 Musurillo 1972, 86 ff; Frend 1952, 87–8.

23 Dunn 2004; Roberts and Donaldson 1885; Rebillard 2008, 304–7.

24 Roberts and Donaldson 1885; Frend 1952, 119–24.

25 Musurillo 1972, 106 ff; Decret 2009, 24–6; Salisbury 1997; Farina 2009.

Decian Persecution and the Bishopric of Cyprian of Carthage

In 248 Cyprian became bishop of Carthage and primate of the church in North Africa just prior to the outbreak of the persecutions of Decius in 250. The response to the Decian persecutions resulted in tensions within the church between those propelled towards martyrdom and those seeking to comply with the requirements of imperial officials. The stature of Cyprian enabled him to preserve the unity of the church in this period of stress, a unity which he considered of utmost importance.

Following the Decian persecutions, Councils of the Church at Carthage in 351 and the following years papered over these tensions within the church.²⁶ In 257 the Emperor Valerian renewed the persecutions and Cyprian went into exile at Curubis (modern Korba) on Cap Bon peninsula, only to be returned to Carthage in 258 for trial and eventual execution.²⁷

In 303 the Emperor Diocletian instituted the Great Persecution. Many clergy yielded to the demands of imperial officials to hand over holy texts and objects, earning them the title '*traditores*'. Others steadfastly refused the demands of imperial officials and were martyred, such as the 49 martyrs from Abitina in Africa Proconsularis, memorialised in the Acts of Saturninus.²⁸ In North Africa the Great Persecution came to an end in 305.

The Great Persecution of Diocletian

With the end of the Great Persecution in North Africa in 305, the Christian church enjoyed a lifting of the series of periodic attempts at suppression dating back to the reigns of Marcus Aurelius and, before him, Nero. The unity of the emerging church had been maintained while the greater threat of external suppression had existed. Once freed of these external threats, internal tensions took little time to emerge in the form of open hostilities.

The trigger for the eruption of internal hostilities was the election of a new bishop of Carthage to succeed Mensurius, who had died in 305.²⁹ Since the end of the Great Persecution, many church leaders had developed more flexible attitudes that contrasted with their earlier puritanical traditions, abandoning the need for re-baptism of the lapsed

26 Frend 1952, 133–4.

27 Musurillo 1972, 168ff; Decret 2009, 79–81; Frend 1952, 139–40.

28 Maier 1987, 57–92; Decret 2009, 99.

29 Decret 2009, 103.

and casting doubt on the value of martyrdom.³⁰ These altered approaches reflected increasing agreement between the church in Africa and the church in Rome.

The Disputed Election of Caecilian as Bishop of Cathage

In 307 the bishops from Africa Proconsularis met in Carthage and, without waiting for the arrival of the bishops from Numidia, consecrated Caecilian, Mensurius' archdeacon, as bishop of Carthage.³¹ One or more of the bishops who consecrated Caecilian were suspected of being *traditores*. The arrival of Numidian bishops saw challenges to the appointment of Caecilian and a subsequent Council convened under the leadership of Secundus of Tigisis condemned Caecilian and elected Majorinus, a lector in Caecilian's office, as bishop of Carthage.³² Majorinus was a servant of a rich Spanish woman in Carthage, Lucilla, who allegedly conspired against Caecilian, adding a whiff of sexual scandal no doubt designed to damage the reputation of the Donatists.³³ Thus there were now two rival bishops of Carthage. In 313 Majorinus died and was replaced by Donatus of Casae Nigrae, after whom the Donatists were named.³⁴ During this period disputes regarding the see of Carthage were of little interest in the empire as a whole, which was wrestling with the succession problems following the end of Diocletian's Tetrarchy and the usurpation of Lucius Domitius Alexander, the Vicarius of Africa under Maxentius, who proclaimed himself emperor in 308 with control of North Africa. The usurpation was crushed by Maxentius in c. 309, despite some suggestions that Domitius Alexander was allied with Constantine against Maxentius.³⁵

30 Frend 1952, 142.

31 Optatus, *De Schism. Donat.* 1.15. Translation in Edwards 1997, 15; Decret 2009, 103.

32 Optatus, *De Schism. Donat.* 1.18. Translation in Edwards 1997, 17–18; Frend 1952, 18–21.

33 Optatus, *De Schism. Donat.* 1.16–19. Translation in Edwards 1997, 15–19; Shaw 2011, 328.

34 Frend 1952, 21.

35 Potter 2014, 343.

Constantine's Attempts at a Resolution of the Split

With the victory of Constantine over his rivals, peace was restored to the empire. Constantine sought to ensure that the unity of the empire and its associated institutions, such as the church, was maintained and the grain trade with Africa was restored.

Based upon these considerations, Constantine proceeded to declare Caecilian as the rightful bishop of Carthage and provided financial support to him in pursuance of these objectives. This prompted a petition from Majorinus' supporters to the emperor seeking judicial arbitration of the dispute. Constantine agreed, and the dispute was referred to a panel of Bishops Miltiades and Marcus, with three Gallic bishops to assist.³⁶

By this time, Majorinus had died and was succeeded as bishop of Carthage by Donatus of Casae Nigrae. Miltiades found in favour of Caecilian in 313, but the Donatists refused to accept his judgement and petitioned the emperor. Constantine acceded to their requests to hold a Council, which convened in Arles in 314, presided over by Marinus, bishop of Arles. It found in favour of Caecilian, but, again, this decision was not accepted by the Donatists,³⁷ who made multiple appeals to Constantine. Further attempts to resolve the dispute proved unsuccessful, with Constantine again finding in favour of Caecilian in 316.³⁸ Constantine promulgated laws in 317 providing for the Donatist churches to be confiscated and their leaders exiled. After some attempts to enforce these edicts³⁹, the popularity of the Donatist church under its new bishop of Carthage, Donatus, became apparent and by 321 Constantine lost interest in trying to secure church unity in North Africa, leaving both sides to their own devices with a declaration of tolerance to the Donatists.⁴⁰

Thereafter the Donatist church prevailed in North Africa under the able leadership of Donatus, whilst their Catholic opponents withered, after the death of Caecilian, under his nondescript successor Gratus.

36 Optatus, *De Schism. Donat.* 1.23. Translation in Edwards 1997, 23–4; Frend 1952, 145–8.

37 Optatus, *De Schism. Donat.* 1.24. Translation in Edwards 1997, 24; Frend 1952, 151–2.

38 Optatus, *De Schism. Donat.* 1.25. Translation in Edwards 1997, 25; Frend 1952, 155–9.

39 Frend suggests that Constantine initiated a persecution of Donatists (Frend 1952, 159–60), but Shaw considers this likely to be fictitious (2011, 188).

40 Maier 1987, 239–42; Frend 1952, 161.

The Mission of Paul and Macarius and the Suppression of the Donatists

The Emperor Constans sent two imperial notaries, Paul and Macarius, as a commission to North Africa in 347 to investigate the religious situation there.⁴¹ The impetus behind this mission is unclear. Frend claims the mission arose following an approach by Donatus to the Emperor Constans for recognition as the sole bishop of Carthage.⁴² Decret claims its impetus arose from Constans' zeal for orthodoxy and church unity after his experience with the Arian heresy.⁴³ Shaw indicates that there is no supporting evidence for Frend's claim,⁴⁴ and hence Decret's conclusion may be correct. Paul and Macarius openly favoured the Catholic faction and Donatus maintained that the emperor had no role in church affairs.⁴⁵ This caused disquiet in Carthage, but when the commissioners travelled between Theveste (Tebessa) and Thamugadi (Timgad) the reaction of local communities proved overtly hostile and the commissioners sought military assistance.

The Donatists responded, with Donatus, bishop of Bagai, calling for help from what were called '*circumcelliones*', who barricaded themselves in a basilica, which was stormed by soldiers. Donatus of Bagai and his defenders were massacred. When other Donatist bishops protested Macarius had them flogged and, later, the Donatist bishop Marculus martyred.⁴⁶ A decree proclaiming unity of the two churches under Gratus caused riots in Carthage, which were suppressed.⁴⁷ Donatus, the Donatist bishop of Carthage, was exiled, and subsequently died in exile in c. 355. He was succeeded by a non-African, Parmenian, in 363.⁴⁸ Following the events of 347 the Catholics were ascendant, but, despite the backing of imperial power, they were unable to weaken the support and popularity of the Donatists. This Catholic ascendancy dissolved with the ascension of Julian to the emperorship in 361.

The first mention of the *circumcelliones* occurs at this time in Optatus

41 Maier 1987, 275–91; Decret 2009, 106–7.

42 Frend 1952, 177.

43 Decret 2009, 106.

44 Shaw 2011, 187.

45 Maier 1987, 275–91; Frend 1952, 178.

46 Maier 1987, 275–91; Optatus, *De Schism. Donat.* 3.4. Translation in Edwards 1997, 68–71; Frend 1952, 178–9.

47 Maier 1987, 291–6; Frend 1952, 179–81.

48 Frend 1952, 181.

of Milevus' descriptions of the events of the 340s, including the mission of Paul and Macarius. The *circumcelliones*, according to Shaw, were young male itinerant agricultural labourers who were utilised for occasional and targeted acts of violence. In effect, they were thugs applying a bit of 'muscle' in an environment of rival private militias engaged by various religious groups, landowners and other interests. They assisted in the Donatist cause either at the instigation of Donatist clergy or of their own volition.⁴⁹ But, as Shaw has demonstrated, Christians generally used gangs of thugs against pagans, while both Catholics and Donatists used them against each other.⁵⁰ When decisions were made in legal proceedings the absence of formal means of enforcement often meant that the successful party engaged in enforcement of legal decisions on their own behalf, assisted by their own gangs of thugs if required.⁵¹ The *circumcelliones* have been characterised as late antique terrorists, the equivalent of Zionist groups in Palestine in 1946–8 or of the Irish Republican Army in Ireland, some form of early religious fanatics.⁵²

The Era of Julian the Apostate

The attempts to suppress the Donatist church ceased with the accession of Julian in 361. Julian permitted the return of the exiled Donatist clergy to North Africa and restored to the Donatists basilicas and other property seized from them after the events of 347.⁵³ Thereafter a slew of legal proceedings were instituted by Donatists to regain possession of both churches and property taken from them by the decrees of Constans. With or without favourable judicial decisions on these property disputes, the Donatists sought to recover property with armed assistance from *circumcelliones*, no doubt extracting some vengeance in the process.⁵⁴ With the lifting of the suppression of Donatists by Julian, Donatism quickly regained its ascendancy over the Catholics, deposing Catholic bishops from their sees and replacing them with their own, such as in the case of

49 Optatus, *De Schism. Donat.* 3.4. Translation in Edwards 1997, 68; Shaw 2011, 634; Decret 2009, 109.

50 Shaw 2011, 220ff, 382, 630ff.

51 Shaw 2011, 119–21.

52 Decret 2009, 108–12.

53 Maier 1989, 41; Frend 1952, 187–8.

54 Optatus, *De Schism. Donat.* 2.18. Translation in Edwards 1997, 45–6; Frend 1952, 190.

Tiddis in Numidia.⁵⁵ The speed with which Donatism revived itself after Julian's accession indicates the dismal failure of the Catholic church to make inroads into Donatist support following the events of 347.

Parmenian, the Donatist bishop of Carthage who succeeded Donatus, held the see from 363 until 391, proving to be an able and influential leader who insisted on a complete separation of church and state.

The Revolt of Firmus

Following the death of Julian and the accession of Valentinian and Valens in 364 attempts were made by the new *Comes Africa* Romanus to promote the Catholic cause, and a rebellion led by Firmus, a Moor and senior Roman military officer, erupted in the Kabylie in eastern Mauritania Caesariensis. It was crushed by Valentinian's *magister militarum* Theodosius (father of the future emperor, Theodosius I) by 375.⁵⁶ While Augustine of Hippo claimed a connection between Firmus and the Donatists, there appears to be no adequate basis for such a claim.⁵⁷

Shaw characterises Firmus's revolt as part of a pattern whereby the imperial court developed suspicions and paranoia regarding senior military commanders in Africa, who, faced with such allegations, made them a self-fulfilling prophecy by instituting rebellion as their only means of defence.⁵⁸ Into this pattern Shaw places the revolts of Domitius Alexander (308–9), Firmus (372–5), Gildo (397–8) and Boniface (427–8).⁵⁹

After the crushing of the revolt of Firmus for alleged treason, the Donatists were permitted to prosper at the expense of the rival Catholics for the remainder of the bishopric of Parmenian.⁶⁰ This period saw the Donatist church reach the height of its supremacy in North Africa.⁶¹ Parmenian died in 391 or 392. He was succeeded by Primian, and a schism developed within the Donatist church between Primian and one of his deacons, Maximian.

55 Optatus, *De Schism. Donat.* 2.19. Translation in Edwards 1997, 46–8; Frend 1952, 190. In a rare geographical error Frend, in note 2, locates Tiddis 13 miles WSW of Constantine; in fact, it is NNW of Constantine.

56 Shaw 2011, 39ff.

57 Augustine, *C. Ep. Parm.* 1.10–17; Frend 1952, 73 proposing such a connection and Shaw 2011, 45 disputing the supposed connection.

58 Shaw 2011, 37.

59 Shaw 2011, 51.

60 Optatus, *De Schism. Donat.* 7.1. Translation in Edwards 1997, 127; Frend 1952, 200.

61 Possidius, *Vita Augustini*, 10; Frend 1952, 210–11.

Ironically, this schism within a schism arose from another disputed election to the Donatist see of Carthage after the death of Parmenian. The forces led by Primian ruthlessly suppressed those of Maximian, using the civil courts and mob violence.⁶²

The Arrival of Augustine of Hippo

Prior to 390 the leadership of the Donatist church proved far more successful than that of its Catholic rival. But, thereafter, the winds of change reversed this, with the election of Aurelius as the Catholic bishop of Carthage (391–2) and the ordination of a convert from Manicheism, Augustine, as a priest in Hippo Regius (modern Annaba) in 391, followed by his election as Catholic bishop of Hippo in 395.⁶³

Theodosius I had appointed Gildo as *Comes Africae* in 386 and, with the accession of Honorius as Western Emperor, suspicion developed within the imperial court regarding Gildo, who, following the patterns proposed by Shaw, revolted in 397 but was defeated by forces sent by Honorius and his *eminence gris* Stilicho in 398.⁶⁴ Based upon suggestions by Augustine that Optatus, the Donatist bishop of Thamugadi (Timgad), was a ‘Gildonian’, Frend claims that Gildo and Optatus were allies in an attempt to impose Donatism on all of North Africa.⁶⁵ This claim is disputed by Shaw, who notes that as the bishop of a town close to the army headquarters at Lambaesis, Optatus would obviously have had dealings with Gildo.⁶⁶

Aurelius and Augustine proved a dynamic duo capable of reviving Catholic fortunes. As Catholic bishop of Carthage, Aurelius provided leadership and discipline to the Catholic Church, welding the dispirited Catholic bishops into a unified group by convening regular church councils, 26 of which occurring in his period as bishop.⁶⁷ Augustine provided the intellectual firepower to take the fight to the Donatists. He had all the zeal and energy of a convert from an actual heresy, he had the intellect to chart new theological and philosophical directions for the church, and he combined this with the consummate skill of a gutter political hatchetman.

62 Augustine, *C. Cresc.* 4.16; Frend 1952, 212–23.

63 Decret 2009, 123.

64 Shaw 2011, 46–8.

65 Frend 1952, 208.

66 Shaw 2011, 49.

67 Munier 1974; Decret 2009, 123.

His surviving written output is prodigious from major works of philosophy to scurrilous political pamphlets, and even including slanderous ditties attacking the Donatists.⁶⁸

Aurelius and Augustine developed a new strategy to combat the Donatists. It comprised three elements. Firstly, it sought to characterise the Donatists as heretics, not merely schismatics, and as a consequence to use imperial anti-heretical laws against them. Secondly, it sought to exploit the hypocrisy of the Donatists in their treatment of their own internal dissenters in the dispute between Primian and Maximian. Thirdly, and most importantly, it sought to portray the Donatists as enemies of the Roman state as a result of their fostering of insurrection, violence and threats to the stability, security and public order of an important province in the empire.⁶⁹

The Era of Honorius

In 392 Theodosius I enacted legislation against heretics. The Catholics in North Africa sought to exploit the legislation against heretics as a weapon against the Donatists by portraying them as not simply schismatic but heretics. This element of the strategy proved only partially successful. While charges of heresy brought by Possidius of Calama against Crispinus in 403–4 succeeded and were upheld by the Emperor Honorius in 405, who issued an Edict of Unity, still the provincial imperial officials were disinterested in enforcing decisions against Donatists on heresy charges.⁷⁰

In addition to a ceaseless programme of sermons and pamphlets, the Catholics prepared dossiers, almost in the form of legal briefs, in order to persuade the imperial court that the Donatists were enemies of the Roman state who posed a real threat to the security of Roman North Africa.

This was at a time when the western empire was itself crumbling after the division of the empire into two upon the death of Theodosius I in 395, with Honorius, aged ten, becoming Western Emperor. By 401 Alaric and the Visigoths entered Italy, commencing a period during which Italy itself

68 Augustine's corpus of works against the Donatists are collected together in *Oeuvres de Saint Augustin 29. Quatrieme Serie. Traites Anti-Donatistes. Volume I–IV* (Paris, 1964–8); Shaw 2011, 475–85.

69 Shaw 2011, 141.

70 Maier 1989, 134–5; Shaw 2011, 534–7; Frend 1952, 243.

suffered from Germanic incursions and the imperial capital was transferred from Milan to Ravenna in 402.⁷¹

These events sensitised the imperial court to potential threats to the Roman state from otherwise peaceful provinces, particularly given the importance of the grain supply from North Africa. The crumbling nature of the western empire made its officials fertile soil in which to plant fears of rebellion. The dossiers prepared by Catholics for the imperial court in Ravenna highlighted a small number of violent incidents perpetrated by Donatists to portray them as violent insurrectionists hell-bent upon undermining the Roman state, including the infamous attack on Maximianus, the Catholic bishop of Bagai. Maximianus may have been a target of interest to the Donatists because he was originally a Donatist but had defected to the Catholic side.⁷² He had obtained a court order to reclaim a basilica on a nearby agricultural estate from the Donatists, who attacked the bishop in his main church at Bagai, smashed the altar over his head, beat him, stripped him and used him in a tug of war with Catholic supporters, and then dragged him up a tower and threw him off the top into a pile of human excrement.⁷³ The bishop survived these affronts with impressive scars, which he displayed with great effect to Honorius while taking part in a Catholic embassy to the imperial court in 403–4.⁷⁴

Incessant lobbying of the imperial court in Ravenna by Catholics convinced the court that Donatists were both heretics and a threat to the state. Following the execution of Stilicho, Honorius rewarded his executioner Heraclian with the post of *Comes Africae* in 408. Heraclian was an African, owning estates near Hippo Regius, and an enemy of the Donatists. But still there was little enforcement of imperial decisions against the Donatists by local officials.⁷⁵

Honorius' decision to declare Donatism a heresy in 405 and issue an edict of unity requiring all Donatist property to be surrendered to the Catholic Church, prohibiting Donatist services and rendering Donatist clergy liable to exile had limited effect.⁷⁶ Faced with the threats from Alaric

71 Blockley 1997, 111ff.

72 Maier 1989, 116–17; Shaw 2011, 708.

73 Augustine, *C. Cresc.* 3.43–47; Shaw 2011, 527–9.

74 Augustine, *Ep.* 88.7; Shaw 2011, 535.

75 *CTh* 16.5.41 and 44; Frend 1952, 271.

76 Maier 1989, 146–7; Frend 1952, 263.

in Italy, Honorius rescinded this edict and issued an edict of toleration in 409, only to reverse it in 410 and reinstate his edict of unity.⁷⁷

The Conference of Carthage

Regardless of the nature of Honorius' decisions against the Donatists, the real issue was how to implement them in North Africa. The Catholics came up with the idea of a conference between the Catholics and Donatists, at which attendance would be required by force.⁷⁸ Honorius decided to set up such a conference in 410 and despatched Flavius Marcellinus as his commissioner to convene it.⁷⁹

The Conference of Carthage was held in 411 in the Gargilian Baths in Carthage. It was not a church council, but rather a form of legal proceedings, with Marcellinus performing the role of the judge.⁸⁰ But it was no fair trial. Marcellinus was a sincere Catholic and a close friend of Augustine, who dedicated his *magnum opus*, *The City of God*, to him.⁸¹ Moreover, Marcellinus knew his role was to implement decisions already taken by the emperor against the Donatists. It truly was a 'kangaroo court', a worthy predecessor to Stalin's Show Trials.⁸² Nonetheless, for the conference to have any credibility it needed a façade of fairness and even-handedness. Shaw describes it as 'an enacted theatre of legal correctness that was meant to counter the gross unfairness that undergirded the whole hearing'.⁸³ Although the Donatists knew the process was a farce, they approached the conference with the determination and strength they cherished in their martyrs. The conference even sought to manipulate the number of attendees, with the initial majority of Donatist bishops reduced to a bare minority of one when some extra Catholic bishops were drummed up to make up the numbers.⁸⁴ The roll call at the conference provides some well-aimed jibes and insults at the opposing group. The conference was the scene for grand processions by Donatist

77 Maier 1989, 171–3; Shaw 2011, 273.

78 Decret 2009, 127–8; Shaw 2011, 556.

79 *CTh* 16.11.3; Decret 2009, 129.

80 Shaw 2011, 555.

81 Augustine, *De Civ. Dei*, Prologue; Frend 1952, 275.

82 Shaw 2011, 555.

83 Shaw 2011, 559.

84 Lancel 1972–91, 110–8; Shaw 2011, 570–1.

bishops and for the Donatists refusing to be seated on the basis that Jesus Christ stood before his persecutors. All of this was intended by the Donatists to be a calculated insult to Marcellinus and to undermine the legitimacy of the conference. This resulted in Marcellinus' bringing the conference to an abrupt end on its third day⁸⁵ to deliver judgement, unsurprisingly, in favour of the Catholics, banning Donatist assemblies and confiscating Donatist property. Honorius received Marcellinus' report and in 412 he issued an edict making Donatism a criminal offence, exiling Donatist clergy, fining *circumcelliones* and handing over all Donatist property to the Catholics.⁸⁶

Catholics tried to capitalise on this outcome with the full support of state power in the remaining 17 years of Roman rule in North Africa. The results of the conference were widely publicised; copies were posted on the walls of the Theoprepia, the principal Donatist church in Carthage, and Augustine wrote summaries, but in the strongholds of Donatism Catholic inroads were limited.⁸⁷

Following the growth of suspicions on the part of the imperial court the *Comes Africae*, Heraclian, revolted in 413, but was quickly defeated and in the aftermath Marcellinus was executed, but there was no change of policy towards the Donatists.⁸⁸

The Vandal and Byzantine period

Roman rule in North Africa soon dissolved after the revolt by Boniface in 428 and the invasion of North Africa by Vandals under Gaiseric in 429 across the Straits of Gibraltar. Augustine died in 430 during the siege of Hippo Regius by the Vandals, who captured Carthage in 439. The Vandals, as followers of Arianism, were also considered heretics.

During Vandal rule Donatism appears to have survived as an underground movement or remained dormant but not dead. The Byzantine conquest of North Africa in 533 initiated by Justinian I and carried out by Belisarius led to a Catholic revival. There appears to have been a revival of Donatism during Byzantine rule, with correspondence from Pope Gregory in the 590s complaining about the strength of Donatism in Numidia and

85 Shaw 2011, 568, 572–82.

86 Maier 1989, 175–9; Frend 1952, 288–9.

87 Augustine, *Ep.* 139.185.2.6; Frend 1952, 290.

88 Frend 1952, 292–3.

pressing for action against it. Following the Arab–Muslim conquest of North Africa in the late seventh century, all observable traces of Donatism and Christianity in North Africa disappeared.⁸⁹

89 Maier 1989, 351–3; Frend 1952, 310–2; Decret 2009, 137–8.

THE SCHOLARSHIP OF THE DONATIST CONTROVERSY

*John Whitehouse*¹

Introduction

The Donatist schism in the Christian church in late Roman North Africa has long interested scholars in seeking to explain its causes, the reasons for its longevity and its resilience in the face of attempts to suppress it. The significance of the schism lies in whether these explanations identify any relationship between the schism and social, economic, ethnic and geographic factors or provide insights into questions of identity, ideology, rural and urban alienation, economic deprivation, the operation of power structures at a local, provincial and empire-wide scale, the role of religion in society and the relationship between religious and political authority.

The purpose of this chapter is twofold:

- to review the scholarship on the schism to identify some of the important contributions to this lively debate;
- to identify some key themes emerging from the literature, many of which are pursued in later chapters.

Early Scholarship pre-1945

The early scholarship on Donatism for the period prior to the Second World War shared a number of features. Firstly, it was overwhelmingly reliant upon the written literary sources, primarily from Catholic protagonists in the Donatist schism. Secondly, it largely accepted these literary sources without serious critical analysis of the authors' purposes, motives and biases. Thirdly, it was not informed by the growing knowledge of the archaeology of late Roman North Africa.

1 The author wishes to thank Jonathan Conant for his helpful comments and his encouragement.

Edward Gibbon, in his monumental work *The History of the Decline and Fall of the Roman Empire* paints a picture of the Donatists as rigid fanatics who had not fully benefited from Roman civilisation. He wrote:

The peasants who inhabited the villages of Numidia and Mauretania were a ferocious race, who had been imperfectly reduced under the authority of the Roman laws; who were imperfectly converted to the Christian faith; but who were activated by a blind and furious enthusiasm in the cause of their Donatist teachers.²

Further,

Such disorders are the natural effects of religious tyranny; but the rage of the Donatists was inflamed by a frenzy of a very extraordinary land; and which if it really prevailed among them in so extravagant a degree, cannot surely be paralleled in any country, or in any age.³

This view was reflected by Theodor Mommsen, who wrote in 1885 that, 'In Africa, the growing church found its most zealous confessors and its most gifted advocates.'⁴

The study of Christian Roman North Africa was significantly assisted by a four-volume compilation of bishops of the various places in North Africa with biographies by Monseigneur Toulotte of the Pères Blancs in *Géographie de l'Afrique Chrétienne*, published between 1892 and 1894,⁵ and by Paul Monceaux's seven-volume *Histoire Littéraire de l'Afrique Chrétienne depuis les Origines jusqu'à l'Invasion Arabe*, published between 1901 and 1923, the last four volumes of which cover the Donatist split.⁶ Monceaux provides a generally balanced assessment. He wrote:

Obviously it was a sect so powerful, so perennial, so resistant and so bold, with very strong attachments to the land and its people. It had won the soul of a good part of the African population, and doubtless it encouraged the hidden aspirations of its main leaders with its doctrines and policies. As such, Donatism was an essential factor in the history, not only of local Christianity, but Africa itself during this period.⁷

2 Gibbon 1994, 821.

3 Gibbon 1994, 823.

4 Mommsen 1886 (corrected ed. 1909), 435.

5 Toulotte 1892–4.

6 Monceaux 1901–23.

7 Monceaux 1901–23, 4.4. ['Évidemment, une secte si puissant, si vivace, si résistante et si audacieuse, avant de très solide attaches dans le pays; elle avait su gagner d'âme

Overwhelmingly the balance that Monceaux offered was in the minority; the polemical approach of Julius Lloyd to Donatism in his 1880 *The North African Church*⁸ was still being followed by Geoffrey Willis⁹ in 1950, both labouring under the influence of Augustine.

At the turn of the twentieth century written sources remained the main source of evidence, but emerging epigraphical discoveries, particularly those of Dom Henri Leclercq in his *L'Afrique Chrétienne* (1904), had begun to inform scholarship.¹⁰

Frend's *The Donatist Church*

In 1952 William Frend made a lasting contribution to the scholarship of Donatism with the publication of *The Donatist Church*.¹¹ His book, finished in 1951, derived from a thesis written prior to the outbreak of war, and he participated in the excavation of a Donatist church at Kherbet Bahrarous in the Hautes Steppes between modern Batna and Constantine,¹² as well as visiting Numidian sites during his war service in military intelligence in 1943–4.¹³ His work made extensive use of the written literary texts but placed these in the context of the archaeological discoveries in North Africa prior to the Second World War and particularly his intimate understanding of the landscape of North Africa, especially Numidia. He provides a clear narrative account of the Donatist split, including its prelude, from the introduction of Christianity into North Africa. Frend acknowledged that his approach to Donatism owed much to ideas first proposed by a German Evangelical pastor, Wilhelm Thümmel, who wrote a thesis at Halle in 1895.¹⁴ Thümmel viewed Donatism as a form of African nationalism representing

d'un bonne partie des populations africaines, dout elle flattait les secrètes aspirations par les principes dirigeants de sa doctrine et de sa politique. Par là, le Donatisme a été un facteur essentiel dans l'histoire, non seulement du christianisme local, mais de l'Afrique elle-même en ces temps-là.]

8 Lloyd 1880, 146.

9 Willis 1950.

10 Leclercq 1904.

11 Frend 1952.

12 Gsell 1978 (first published 1911), Map XXVI, 46, and Gui et al. 1992, 113–4.

13 Frend 1952, v. For biographical essays on Frend see Liebeschuetz 2007, 37–54 and Rebillard 2013.

14 Frend 1952, xii.

a separatist force in late Roman North Africa and noted the coincidence of Donatism with areas where non-Latin language predominated.¹⁵

Frend noted that the persistence of Donatism was remarkable given that there was no serious theological difference separating them from the Catholics.¹⁶ He considered that the explanation for Donatism appears to lie outside of the personalities involved and beyond the legal and theological aspects of the controversy.¹⁷ He noted the geographical differences in the support base for the two sides, with Numidia providing the main area of support for Donatists.¹⁸ Donatists were found on the inland plains and in rural areas of North Africa, while Catholics were centred on the cities and towns of the coast and the Tell.¹⁹ Frend noted the tribal or clan basis for affiliation with the Donatist church,²⁰ as well as a class distinction, with poorer native classes supporting the Donatists while the Romanised urban middle and upper classes supported the Catholics.²¹ He also argued that, in the period following the reforms of the Tetrarchy, increased taxation and economic hardship led to a 'spirit of desperation and revolt', providing a connection between Donatism and social discontent.²²

Frend considered the *circumcelliones* a terrorist movement, alternatively stirred up and discouraged by Donatist leaders, who could be disowned when convenient or called in for covert action when required,²³ and who had clearly defined economic grievances. He noted that the Donatists were associated with the revolts of Firmus²⁴ and Gildo,²⁵ and considered the Augustine part of the Romanised elite to be out of touch with agricultural workers and unable to speak their language, relying rather upon the power of the State and large estate owners to prevail over the Donatists.²⁶ Frend noted: 'The questions that separated them were those of will and outlook, not doctrine and philosophy',²⁷ posing the view that

15 Frend 1952, xii; Prévot et al. 2006, 255.

16 Frend 1952, 2–3.

17 Frend 1952, 23.

18 Frend 1952, 24.

19 Frend 1952, 52.

20 Frend 1952, 56.

21 Frend 1952, 66.

22 Frend 1952, 68–70.

23 Frend 1952, 172.

24 Frend 1952, 148.

25 Frend 1952, 208.

26 Frend 1952, 233.

27 Frend 1952, 315.

the two churches were in reality two societies differing fundamentally in religious and social questions.²⁸

Frend summarised his views as follows:

Catholicism was centred in the cities and villas of Africa. Far from being a destructive force, the Catholics time and again rallied to the defence of authority against the native rebels The survival of the Catholic Church, however, depended in Africa as in other parts of the Mediterranean on the survival of the material institutions of the Empire. When these failed, as they did in the fifth and sixth centuries, Catholicism had no appeal for the masses of the native population. It had no message of effective social reform ...

In addition to this, the dissenters were drawn in the main from the oppressed and primitive groups in the population ... Donatism was not merely a schism, it was a part of a revolution.²⁹

In essence, Frend's explanation for the Donatist schism lies in a conflict between the poor, under-privileged, oppressed and ethnically distinct unRomanised Berber peasant populations of the uplands of Numidia and the richer, more Latinised bourgeoisie of the towns and cities of the coast and the great landowners. It is a nationalist and socio-economic explanation of ethnic and social conflict.

Frend's work still stands today as the seminal work on Donatism, but that is not to suggest that there are no grounds for a critical assessment of his contribution. His analysis may be questioned in a number of aspects:

- (a) He follows the Augustinian/Catholic texts closely, without subjecting them to critical analysis.
- (b) He exaggerates both the role of the Donatist schism in the events of late Roman North Africa and the extent of Donatist-inspired violence.³⁰ Without doubt, the Donatist schism was an important issue in North Africa, but, other than for a few brief periods, it was not the defining issue in North Africa except in ecclesiastical circles.
- (c) He claims Donatist support for the revolts of Firmus and Gildo, whereas evidence for involvement by the Donatist church in these revolts is absent.³¹
- (d) He paints a picture of economic oppression and hardship, particularly in the rural hinterland of North Africa, as a rationale for native support for

28 Frend 1952, 332.

29 Frend 1952, 333–6.

30 Shaw 2011, 31ff.

31 Shaw 2011, 46 and 49.

the *circumcelliones* and Donatists. The evidence for this is lacking and, indeed, most evidence points to relative levels of prosperity compared with elsewhere in the Roman world.³²

- (e) His fundamental thesis that the driving force behind the Donatist schism related to nationalist and ethnic tensions between the less Romanised Numidians/Berbers and more Romanised populations needs further investigation and evidence.

Scholarship After Frend

The reception of Frend's work in the 1950s was tinged with suspicions about his political philosophy.³³ A. H. M. Jones rejected Frend's social explanation for Donatism, arguing that there was no evidence that Donatism was a disguised social movement.³⁴ Jones, rather, considered the explanation to lie in the intense and widespread interest in theology and doctrinal issues. There is a certain irony that these two prominent scholars found the explanation for Donatism outside of their own areas of expertise: Frend, a historian of religion, found the conflict was fundamentally social, while Jones, a social historian, found the conflict was fundamentally theological.

Shortly after the publication of Frend's book there appeared Jean-Paul Brisson's book *Autonomisme et Christianisme dans l'Afrique romaine de Sévère à l'invasion Vandale* in 1958.³⁵ This work was written largely without the benefit of Frend's work, although Brisson accounts for it in his foreword,³⁶ rejecting Frend's thesis that the Donatist schism was based upon nationalist/ethnic factors. Instead, Brisson proposes that the schism was based upon socio-economic factors. Prévot et al. provide the following critique of Brisson's thesis:

The social explanation of Brisson in 1958 is no longer satisfactory. Firstly and ecclesiastically, it makes Cyprian the founder of Donatism, ignoring that he did not seek martyrdom himself. Secondly, it promotes the idea that Berber nationalism gives the Donatist movement its distinctive features. But this

32 See Dossey 2010.

33 Liebeschuetz 2007, 43–4.

34 Jones 1966, 280–97.

35 Brisson 1958.

36 Brisson 1958, i and 7.

enthusiasm according to Brisson is not caused by ethnicity, but by the social and societal identity of nomads and semi-nomads, who in rejecting the new social economy of Romanisation, settlement and misery, sought the establishment of a church for the poor and the pure. Influenced by Marxist theory, this approach is based upon outdated concepts. To support his theory, Brisson emphasises the extremist movement of the *circumcelliones* too quickly as the essence of Donatism, and he underestimates the evidence that contradicts this, such as the Senatorial status of some of the supporters of the dissenters. Above all, this explanation requires some pre-Roman economic and social connections that are very difficult to demonstrate.³⁷

However, this assessment of Brisson's approach may well be too harsh. Brisson's socio-economic thesis may touch upon useful avenues in modern approaches towards identity and social inclusion/alienation which may provide more useful paradigms in explaining the Donatist phenomenon.

Emin Tengström's book *Donatisten und Katholiken*, published in 1964,³⁸ was, in part, a response to Frend's work. Although, like Frend, he took a broadly social-historical perspective, Tengström arrived at some very different conclusions with regards to the development of the Donatist schism. He rejected the idea that the roots of the Donatist movement lay in social protest or resistance; for Tengström the answer lay in the Catholic church's (and later the Roman imperial government's) success in imposing itself on the towns and cities of North Africa and its relative failure to do the same in the countryside, where Donatist sympathisers amongst the landed gentry and *circumcelliones* often blocked their efforts. According

37 Prévot et al. 2006, 256. ['La thèse sociale mise en valeur par Brisson en 1958 ne satisfait pas davantage. Le premier volet, ecclésiologique, fait de Cyprien le fondateur du donatisme, oubliant qu'il ne rechercha pas le martyre. La seconde partie reprend l'idée d'une adhésion berbère qui confère au mouvement donatiste ses traits distinctifs. Or cet engouement n'est pas provoqué selon Brisson par l'appartenance ethnique mais bien par l'identité sociale et sociétale de nomades ou semi-nomades rejetant la nouvelle économie solidaire de la romanisation, la sédentarisation et la misère qu'elle aurait engendrées pour former une Église de pauvres et de purs. Marquée par une lecture marxisane, cette compréhension repose sur l'emploi de concepts qui risquent l'anachronisme. Pour la soutenir, Brisson valorise à l'extrême le mouvement des circoncellions, trop vite identifié à l'essence du donatisme, et minore les données qui vont en sens opposé, telle l'appartenance sénatoriale de certains soutiens à la dissidence. Surtout, son schème interprétatif suppose des rapports économiques et sociaux pré-romains bien difficiles à démontrer.']

38 Tengström 1962.

to the Tengström model, therefore, it was the ability to apply pressure and physical force that was the most significant element in the intensity and longevity of the controversy.

Biographies of Augustine of Hippo

As the towering figure of late Roman North Africa and one of the leading thinkers of the Catholic church, Augustine of Hippo has been the subject of innumerable biographies, one of the earliest of which was by Louis Sébastien, Le Nain de Tillemont, a seventeenth-century priest and recluse.³⁹ The principal biographies of Augustine addressing aspects relating to the Donatist schism are those by Peter Brown⁴⁰ in 1967 with a new edition in 2000, Serge Lancel⁴¹ in 1999 with an English translation in 2002, James O'Donnell⁴² in 2005, Catherine Salles⁴³ in 2009 and Sir Henry Chadwick⁴⁴ in 2009. So extensive is the literature on Augustine that he even has an entire encyclopaedia devoted to him.⁴⁵

These biographies, as you would expect, concentrate on the life, thoughts and writings of Augustine, rather than on seeking explanations for the Donatist phenomenon. In his biography Lancel ventures into this field, however, indicating that Donatism would not have reached its full development without economic, social and cultural underpinnings. Of these he singles out two: the socio-economic issue of poor peasants and a subproletariat of seasonal and nomadic farm workers, and the religious issue of the continuity of religious traditions from the cults of Saturn and before the Baal Hammon and their underlying rites of sacrifice.⁴⁶ The question of how Augustine could rationalise the use of state power to crush the Donatists and enforce Catholic orthodoxy is explored by Kaufman.⁴⁷

39 Le Nain de Tillemont 2010 and 2012.

40 Brown 2000.

41 Lancel 2002.

42 O'Donnell 2005.

43 Sellers 2009.

44 Chadwick 2009.

45 Fitzgerald 1999.

46 Lancel 2002, 163.

47 Kaufman 2007.

Modern General Works

Following the landmark works of Frend and Brisson there have been numerous modern works addressing the Donatist schism or parts thereof. Warmington, in his history of North Africa from Diocletian to the Vandal Conquest, gives a good summary of the narrative history generally written before the publication of Frend's book,⁴⁸ noting that Donatism was not an expression of any deep anti-Roman feeling among the population of North Africa.⁴⁹ Micklem, in his *Church and Empire in North Africa*, largely echoed Frend's perspective on the Donatist schism.⁵⁰

Greenslade, in a series of lectures published in 1953, examined the general issue of schisms in the early Christian church, looking at their causes and how the church sought to deal with them.⁵¹ This provides an important contextual framework within which the Donatist schism needs to be placed.

The work of Maureen Tilley focused attention away from Catholic sources and onto the surviving Donatist sources, emphasising the vitality of the Donatist church and its nuanced and evolving approaches toward the contributions of martyrs, the role of evil, the maintenance of a sense of community or *collecta* and responses to persecution.⁵² What emerges is a view of the Donatist church at odds with the image portrayed of them as puritanical and fanatical.

Francois Decret's thorough and comprehensive review of Christianity in North Africa, published in 1996 with an English translation in 2009,⁵³ stands alongside Frend's work as one of the clearest narrative accounts of the Donatist schism.

In 2000 Yvette Duval published a detailed account of the development of Christianity in North Africa in its early years up to the Constantinian peace, with detailed case studies of the early church in Cirta (Constantine) and Abthugal.⁵⁴ A general, if somewhat superficial, account in relation

48 Warmington 1954, 76.

49 Warmington 1954, 99.

50 Micklem 1964.

51 Greenslade 1953.

52 Tilley 1997b, 175ff.

53 Decret 2009.

54 Duval 2000.

to the Donatist schism is found in Anne Bernet's 2006 *Les Chrétientés d'Afrique*.⁵⁵

Good recent overviews of the Donatist schism are found in recent compilations of Christian history by James Alexander,⁵⁶ Maureen Tilley,⁵⁷ Anna Leone⁵⁸ and Éric Rebillard,⁵⁹ and in Jean-Marie Lassère's masterly work on Roman North Africa.⁶⁰

Recent studies by Erika Hermanowicz⁶¹ and Allen Brent⁶² have focused on the role of Augustine's colleague, Possidus of Calama, and on Cyprian of Carthage respectively.

Modern Thematic Studies

Our understanding of Donatism has been considerably enhanced by a number of modern thematic studies addressing particular aspects related to Donatism.

Given the centrality of martyrdom to Donatism, the considerable studies on martyrs are important. Some of these are earlier works, such as the calendar of African saints and martyrs by Victor Désjardins,⁶³ the collected papers of Geoffrey de Ste Croix,⁶⁴ the detailed study by William Frend⁶⁵ and the study of martyrdom in North Africa by Victor Saxer.⁶⁶ Saxer's work is particularly interesting in his discussions regarding the conversion of private funerary banquets for the deceased into public events involving the entire community and presided over by the local religious authorities, and the detachment of the cult of relics from the cult of martyrs, such that the memorialisation of martyrs can occur independently of the repositories of relics.⁶⁷ In effect, Saxer's work suggests that the celebration

55 Bernet 2006.

56 Alexander 2000, 952–74.

57 Tilley 2006, 381–96.

58 Leone 2007b, 231–47.

59 Rebillard 2008, 303–22.

60 Lassère 2015, 619–35.

61 Hermanowicz 2008.

62 Brent 2010.

63 Désjardins 1952.

64 de Ste. Croix 2006.

65 Frend 1967.

66 Saxer 1980.

67 Saxer 1980, 311 ff.

of martyrs performed a significant role in the development of community cohesion and local community identity. The role of sacrifice in developing community identity in early communities is further explored by George Heyman.⁶⁸

Recently Candida Moss has pioneered a revisionist approach toward martyrdom, noting the diversity of the phenomenon and questioning the authenticity of the extent of martyrdom.⁶⁹ Whether myth or reality, however, the cult of martyrs played a vital role in the development of cohesion in early Christian communities.

Just as ideology plays an important role in fostering community identity and cohesion, so too do carrots and sticks play a role in the enforcement of cohesion and the provision of incentives for community cohesion. The enforcement of community cohesion involves the use of authority and discipline, explored in the context of relations between Rome and the African church by Jane Merdinger⁷⁰ and in the context of the church within North Africa generally by J. B. Rives⁷¹ and more specifically through the use of letter exchange by Jennifer Ebbeler,⁷² and from the perspective of violence by Shaw.⁷³

Incentives for community cohesion range from the economic, such as employment, patronage and the provision of food, to non-economic issues such as esteem, social inclusion, power relationships and moral recognition. The issue of constructing communities in the late Roman countryside is explored by Cam Grey.⁷⁴

Identity is not a fixed concept. An individual's identity may relate only to a particular aspect of their life, such as their religious, sporting or employment activities. Thus individuals may have multiple identities depending upon the context in which they are expressed. One or none of these varying identities may be a defining identity for an individual. Moreover, a person may unconsciously be ascribed an identity, through, for example, such activities as attending a particular church because their friends do, or attending a particular church without an understanding of or interest in the ideology of that particular church within the religion as

68 Heyman 2007.

69 Moss 2012 and 2013.

70 Merdinger 1997.

71 Rives 1995.

72 Ebbeler 2012.

73 Shaw 2011.

74 Grey 2011.

a whole. Where the sense of identity is ambivalent, weak or limited to a narrow area, changing and shifting identity can recur regularly. Some of the issues associated with shifting identities in late Roman North Africa are explored by Éric Rebillard,⁷⁵ while there is an enormous literature on the question of cultural identity in the Roman world.⁷⁶ Shaw, however, considers that identity is not an adequate explanation for the schism,⁷⁷ but rather considers that the answer lies in the preserved memories of the past.⁷⁸ However, these preserved memories may constitute defining characteristics of identity, either on their own or in combination with other characteristics.

The role of the law in the Donatist schism was significant. It was a weapon in the hands of both Catholic and Donatist protagonists, be it in terms of imperial edicts and codifications, petitions to the emperor and local officials, and civil suits in relation to heresy and to property rights such as control of church premises, as well as the dressing up of documents in the form of legal dossiers. We need to remember Juvenal's jibe that Africa was the nursery of lawyers:⁷⁹ many of the bishops, including Augustine, were trained in law.

Law was used to intimidate and overawe the uninitiated, to make impressive matters otherwise unremarkable, to reclaim property, to disadvantage and destabilise opponents, and to jam up the system to ensure inaction by the use of constant appeals and manoeuvring. The role of the law, examined by Schiavone,⁸⁰ Ando,⁸¹ Uhalde,⁸² Humfress⁸³ and Dillon,⁸⁴ also gives rise to the question of the relationship between church and state and the role of the state in internal religious affairs.

The changing nature of towns and cities in late antiquity in North Africa is explored by Anna Leone⁸⁵ and the changing nature of the North African economy is explored by Leslie Dossey,⁸⁶ while the archaeology

75 Rebillard 2012.

76 Wallace-Hadrill 2008; Revell 2009; Mattingly 2011.

77 Shaw 2011, 771.

78 Shaw 2011, 793.

79 Juvenal, *Satires*, 7, 148–9.

80 Schiavone 2012.

81 Ando 2011.

82 Uhalde 2007.

83 Humfress 2007.

84 Dillon 2012.

85 Leone 2007a; 2013.

86 Dossey 2010.

of Christianity in North Africa is examined by Niall Finneran.⁸⁷ Leone notes that the archaeological evidence suggests a secular community where religious conflicts were probably often limited, supporting Shaw's conclusion that, with the exception of limited violent episodes, North Africa was peaceful during the period of the Donatist schism.⁸⁸

Brent Shaw's Re-evaluation

In 2011 Brent Shaw's *magnum opus*, *Sacred Violence: African Christians and Sectarian Hatred in the Age of Augustine*,⁸⁹ was published. This massive work fundamentally re-evaluates most aspects of the Donatist schism. It is a rich treasure trove of ideas, challenges and careful and detailed analysis with brilliant insights. As Ando says, it is 'an exhilarating, magnificent and infuriating book'.⁹⁰ It is ostensibly not a history of Christianity in North Africa,⁹¹ but henceforth that subject cannot be considered without his work.⁹² Shaw's strengths are his deconstruction and critical analysis of the sources and his sharp assessment of the underlying motives and strategies of key players.

Shaw evaluates the evidence for violence in North Africa and arrives at the conclusion that it has been much exaggerated.⁹³ He notes that for most of the period in question the Donatists were at peace and that the periods of violence and suppression were only limited and of short duration.⁹⁴ He recounts the significant efforts by protagonists to ring-fence their supporters and prevent defections. Where violence arises, he identifies much of it as related to the normal means of enforcement of court decisions.

He accurately assesses the Catholic strategy leading up to the Conference at Carthage in 411 of characterising the Donatists as heretics, as hypocrites in the way they treat their own internal dissidents and as threats

87 Finneran 2002.

88 Leone 2013, 236 ff.

89 Shaw 2011.

90 Ando 2012.

91 Shaw 2011, 2.

92 Surprisingly, a recent work on Christianity in North Africa, Partout Burns and Jensen 2014, makes no reference to Shaw's 2011 book in its bibliography.

93 Shaw 2011, 10–35.

94 Shaw 2011, 52.

to the Roman state.⁹⁵ He excels with his analysis of the complex relationship between the imperial court and provincial officials⁹⁶ and between the imperial court and religious factions. Shaw paints the role of the imperial court as mainly passive, a result of their priorities lying elsewhere on the crumbling northern frontiers of empire. However, the imperial court had a major stake in enforcing orthodoxy given the intertwining of church and state after Constantine. His explanation of the reasons for the mission of Paul and Macarius in 347 identifies what it was not – namely, an initiative of Donatus which backfired⁹⁷ – without fully considering what it was, and whether this was an expression of a more activist imperial policy on religious affairs.

He provides a complete context by looking not simply at the relationship between Catholics and Donatists but also at the relationships between Christians and pagans⁹⁸ and Christians and Jews.⁹⁹ Shaw assesses the role of bishops and how they exercised power, particularly through sermons.¹⁰⁰ He notes that most sermons, both Donatist and Catholic, were concerned with religious instruction and education, while issues relating to the schism were but minor and passing references. This provides a level of context within which the political pamphlets and dossiers can be placed. His account of the Conference at Carthage in 411 is masterly and entertaining,¹⁰¹ and his analysis of the *circumcelliones* places their origins with campaigns against pagans and concludes that their role was primarily one of policing the frontiers of the religious community.¹⁰² Gangs of enforcers were not solely a Donatist phenomenon but were shared with Catholics. His assertion that the emphasis on martyrdom in Donatism reflects a North African tradition dating back to Punic times is a rather sweeping and dubious proposition.¹⁰³ Shaw discounts the issue of economic disadvantage as having any role in the Donatist schism.¹⁰⁴

95 Shaw 2011, 141.

96 Shaw 2011, 36–51.

97 Shaw 2011, 163.

98 Shaw 2011, 195–259.

99 Shaw 2011, 260–305.

100 Shaw 2011, 348–408.

101 Shaw 2011, 544–86.

102 Shaw 2011, 630 ff.

103 Shaw 2011, 588.

104 Shaw 2011, 793.

Shaw's *tour de force* requires us to reject notions that the Donatist schism is a result of nationalist/ethnic divides or of economic disadvantage or a revolution of any sort. Rather, it was a schism in which both sides considered that they were the true Christian church and, in that sense, both considered themselves to be the establishment, rather than either being anti-establishment. It was prompted by differences in historical memory,¹⁰⁵ according to Shaw's term, leading to differing identities and maintained by reinforcing those identities with the use of hate speech and violence to solidify the boundaries.

The Donatists showed, by their constant engagement with the Roman system to resolve their grievances, that Donatism was not an expression of resistance to Rome. Donatists did not seek to overthrow or reject Rome; rather, they sought to work with the Roman system to change it from within in relation to specific issues.¹⁰⁶

The concept of remembered pasts as proposed by Shaw, in combination with aspects of community and group identities, provides a better explanation for the Donatist schism in that it enables theological, socio-economic and ethnic or regional factors to contribute to that community/group identity, which is then maintained and reinforced by its remembered pasts, thus avoiding the false disjunction between social, ethnic and theological explanations.¹⁰⁷

The publication of Shaw's work has prompted scholars to pursue some of the many prospective lines of enquiry opened up by him. The issue of violence in late antiquity, its nature and its role, has been the subject of papers by Ando,¹⁰⁸ Conybeare,¹⁰⁹ Grey,¹¹⁰ Lenski¹¹¹ and Drake¹¹²

105 Shaw 2011, 3. Shaw neglects the considerable literature on historical memory, which has at its starting point Ricoeur 2004.

106 See Bénabou 1976 as the classic statement regarding North African resistance to Rome. Bénabou does not refer to the Donatist schism, although his focus is on the period up to Diocletian. Donatism receives a tangential reference in the bibliography to the Preface by Michel Christol to the 2005 edition of Bénabou's *La Résistance Africaine à la Romanisation*, xix.

107 An interesting example of remembered pasts is recounted by Greenslade 1953, 189, in relation to the prominence of the iconography within a modern English Catholic church of Catholic martyrs killed in the Protestant Reformation.

108 Ando 2013.

109 Conybeare 2013.

110 Grey 2013.

111 Lenski 2013.

112 Drake 2013.

in the *Journal of Late Antiquity* in 2013 and in papers by Frankfurter¹¹³ and Fredriksen,¹¹⁴ along with a reply by Shaw,¹¹⁵ in the *Journal of Early Christian Studies* in the same year.

Key Themes for Future Research

Spatial Distribution of Religious Sites

The spatial distribution of religious sites in North Africa is an aspect poorly understood and generally not the subject of survey work. Such research should be aimed at identifying any hierarchy in religious sites, their relationship with each other and their relationship with surrounding sites and land uses. The typology of Christian religious sites includes:

- town and city churches
- village churches
- churches on great estates
- remote churches
- monasteries
- local shrines
- cemeteries and funerary monuments

In addition, the presence and distribution of pagan religious sites surviving into the late Roman period merits examination, together with any continuity between pagan religious usage and Christian religious usage on the same sites.

Church Architecture and its Relationship to the Donatist Schism

A considerable body of work exists on Christian churches generally in North Africa,¹¹⁶ in addition to specific churches. The specific attribution of churches and religious sites to either the Catholic or the Donatist church

¹¹³ Frankfurter 2013.

¹¹⁴ Fredriksen 2013.

¹¹⁵ Shaw 2013a.

¹¹⁶ See Gui 1992; Duval 1972; Duval 1997; Duval 1971–3; Baratte et al. 2014.

is often difficult in the absence of textual support. The establishment and testing of indicators for each church would be worthwhile, using inscriptional markers, such as use of the Donatist watch words *Deo laudes*, and any other distinguishing architectural features. In many of the main centres our knowledge of the attributes of particular sites is poor. For example, in Carthage we do not know the location of the Gargilian Baths where the Conference of Carthage in 411 was held nor the location of the Theoprepia, the principal Donatist church.

The Regional Economy in the Late Roman period, Particularly in Numidia

Our understanding of the late Roman economy in North Africa has improved dramatically and is outlined by Dossey.¹¹⁷ However, Dossey's evidence is primarily derived from the Tunisian parts of Africa Proconsularis and our understanding of the rural economy in Numidia, the heartland of Donatism, is poor.

Urban Structure and Churches

In late Roman North Africa the urban structure of cities and towns was changing. There was a level of urban decline coupled with internal restructuring. There was a decline in civic facilities and pagan temples in cities and towns. Meanwhile in the countryside, there was a growth of great estates.

A more detailed understanding of how the erection of new Christian churches or the adaptive reuse of existing buildings as churches altered the structure and function of urban centres would provide a better context for understanding the role of the church in the urban fabric. This subject has been explored in part by Anna Leone.¹¹⁸

Pagan Survivals

The issue of pagan survivals has been explored in Rome by Alan Cameron,¹¹⁹ who argues that paganism died out progressively, while Anne Leone

¹¹⁷ Dossey 2010.

¹¹⁸ Leone 2007a; 2013.

¹¹⁹ Cameron 2011.

addressed this issue in North Africa and supports this conclusion.¹²⁰ The process of pagan decline and the extent of survivals need further detailed examination in North Africa.

The Role of Provincial Administration in the Donatist Schism

The role of the provincial administration and the civic institutions in towns and cities in the Donatist/Catholic dispute is generally depicted as being muted and seeking to avoid any involvement. This issue and the reasons for it are worthy of future consideration. As noted below, because of the role of provincial officials in the legal process they were invariably dragged into civil litigation between the competing churches.

Critical Analysis of Written Literary Sources

The volume of written literary sources for the period is immense and provides many opportunities for future research, particularly in the application of critical analysis. The patterns, purpose and effectiveness of the different genres, such as letters, sermons, pamphlets and so on is one interesting area, particularly in considering the interfaces between written and oral traditions and between different language regions. The wealth of letters from Augustine and his circle provides an opportunity to apply social network theory, with the mapping of interactions within Catholic ecclesiastical circles, as has been undertaken in late Roman Syria in relation to Theodoret of Cyrus¹²¹ to understand the dynamics of the Catholic leadership at the time of Augustine.

Law and Religion

The role of the law in the Donatist dispute has been referred to above; it can, however, also be a form of theatre and public entertainment, another weapon in the propaganda war. There appears to be divergent attitudes towards the law on the part of the Donatists. While proclaiming the need for separation of church and state, the Donatists showed no reluctance in using the judicial system to assault their internal opponents in the Primian/Maximian dispute or to reclaim churches and property taken by

¹²⁰ Leone 2013, 243.

¹²¹ Schor 2011.

the Catholics. This suggests an approach to civil litigation different from that taken to imperial petitions. Moreover, the civil proceedings dragged the local provincial administration into disputes.

Funerary Traditions

Given the large numbers of surviving tombstones in Roman North Africa, it would be worth investigating whether the schism resulted in different funerary traditions among Catholics and Donatists, and indeed whether there were mixed or separate cemeteries for adherents of the two churches.

The Army and the Donatists

The location of the headquarters of the Legio III Augusta at Lambaesis until the reign of Diocletian, when it was transferred to some nearby unknown location, suggests that the principal army units were in the heart of Donatist territory and near the Donatist-dominated city of Thamugadi (Timgad). Moreover, as the work of David Cherry indicates, in its later period the legion was largely comprised of locally born soldiers,¹²² raising the interesting question of the extent and implications of Donatist support within the ranks of the army.

Martyrdom

The social role of the celebration of martyrdom and whether the cults of saints were always part of the Catholic/Donatist churches or operated somewhat independently (as in the case with Marabouts in North Africa today) are issues worthy of further examination.

Theology

Recent interest in exploring the nuances of Donatist theology instead of pre-supposing that there were no theological distinctions between Catholics and Donatists raises the question of whether any theological distinctions were reflected in different patterns of social behaviour.

¹²² Cherry 1998.

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These are but a few of the interesting questions that arise from the scholarship on the Donatist schism in late Roman North Africa. The Donatist schism is particularly interesting in that it enables us to attempt to enter the minds of people in the ancient world and understand their belief systems and behavioural patterns in a period of tension, uncertainty and apprehension as the Roman world crumbled and faded.

MARTYR VENERATION IN LATE ANTIQUE NORTH AFRICA

Candida Moss

Introduction

When people think of the veneration of the martyrs they almost invariably – whether consciously or not – think of North Africa.¹ Whether Tertullian was right in asserting that the blood of the martyrs was ‘seed’ for the church, his famous slogan is ubiquitously used as a summary of the influence of martyrdom not only in the early church but also in the course of human history. Nor does it seem accidental that the early church’s most famous martyrs – Perpetua and Felicity – were tried in Carthage or that our earliest evidence for the practice of venerating martyrs comes to us from the same region. The cult of the saints is, for many, synonymous with North Africa.

Given the degree of regional variation in the study of martyrdom it is most fortunate for its study in North Africa that scholarly caricatures of martyrdom so closely align with North African practices. The notion of martyrdom as a cosmic battle, for example, is more acutely in evidence in third- and fourth-century North Africa than in Rome. It is difficult to distinguish between accumulating legends and actual deaths; between Catholic and dissident or Donatist martyrs; and between the veneration of martyrs and the veneration of family members. The overlapping of these practices means such distinctions are often rhetorical and polemical. Any discussion of the veneration of Donatist martyrs in particular must engage with the difficulty of dealing with Augustine’s personal animosity towards the cult of the saints in his early life and his personal and professional struggles with Donatists as a bishop. It is thus here, with the evidence for the veneration of martyrs in North Africa, that we should begin.

1 I am grateful to the conference participants and Bruno Pottier, in particular, for their comments on and feedback to my original paper.

Evidence for the Veneration of Martyrs in North Africa

In his synthesis of the ancient material Shaw notes that the material evidence for the cult of the martyrs in the late fourth century is limited to Africa Proconsularis, Numidia and Mauretania Sitifensis, and that the 'weight' of the material is in the ecclesiastical province of Numidia.² The epigraphic materials, grave markers, commemorative stone lintels, celebratory mosaics and ritual tables deposited in these locations attest to a vibrant and thriving cult of the saints. The evidence from this region outstrips that of other areas, although many of the stone memorials lack named martyrs.³

In addition to this archaeological material there are the literary records that preserve a 'theology of martyrdom' and harness the charisma of the saints.⁴ In the case of specifically Donatist martyrdom accounts a relatively large collection of stories have survived. These accounts include epistolary and homilectical genres as well as more traditional *acta*. Evaluating this evidence is difficult. One curiosity, noted by Duval, is that the literary and archaeological materials overlap so infrequently.⁵ Cyprian, Perpetua and Felicitas occur with some regularity, but the elite bishops celebrated in the official calendar have left only these slight literary impressions in the extant evidence.⁶

While aspersions can be cast upon the motivations of the clerics compiling the official calendar we should beware of romanticising the lone otherwise unknown martyrs from more rural areas. Martyrs, like mushrooms, have a tendency to multiply in the dark spaces where historical light does not shine. And we should remember that it is a small step from burial *ad sanctos* to elevation to the heavenly court. This kind of status elision can be found even inside those few literary traditions available to us. What the multiplicity of material evidence for the cult of martyrs in the late fourth century demonstrates to us is the importance of the idea to late antique Christians (both Donatist and otherwise). Whether or

2 Shaw 2011, 611.

3 See Duval 1982, 458.

4 The publication of martyrdom accounts often reinforces the division between 'orthodoxy' and 'heresy'. Donatist martyrdom stories are largely excluded from collections of martyrdom accounts in general, for example, Musurillo, 1972 and published separately. See for example, Tilley 1997b.

5 Duval 1982, 458 n. 88.

6 Duval 1982, 158 n. 21.

not martyrdom occurred with the frequency implied by the inscriptions, those who came afterwards believed that it did, and that belief shaped the consciousness, expectations and identities of those Christians who venerated them.

In urban centres Donatists and Catholics venerated the same saints. The martyrdom of the bishop Theogene was celebrated in Hippo Regius by both churches in their respective basilicas.⁷ In Carthage there is evidence of several Donatist-specific martyrdom shrines – those of Donatus of Avioccala in 316 and Maximianus and Isaac in the persecution of 347 – but there is no epigraphic evidence to suggest that their cults spread outside of the immediate area. In the case of more famous martyrs such as Marculus, the saint was catholicised and introduced into the Catholic calendar by the ninth century.⁸ Saints in rural regions may have been more clearly demarcated, but the archaeological record makes it difficult to identify concretely the religious sensibilities of those attending local shrines.

The veneration of martyrs on the anniversaries of their death was an occasion for local pilgrimage and the mass assembly of Christian congregants. Augustine emphasises the almost ad hoc Pentecostal character of the celebrations, describing how passers-by would ‘catch fire with enthusiasm’ and encourage one another to assemble.⁹

The enjoyment of meals at sites of Christian burial and martyr shrines, in particular, is well attested from the late third century onwards.¹⁰ Augustine famously reports that in North Africa his mother took ‘meal-cakes and bread and wine to the shrines of the saints on their memorial days’.¹¹ Visual representations of meals found on murals in catacombs and carved onto the side of sarcophagi suggest that meals were taken on such occasions, while the preservation of drinking cups, dishes and bowls demonstrate that the hardware for civilised consumption was present in Christian cemeteries. That Christians ate in the company of their dead, and especially their martyred dead, is beyond dispute, although the interpretation of these meals – their shape, purpose and conceptual relationship to other kinds of

7 Augustine, *Ep.* 29.

8 Mastandrea 1995, 39–88.

9 Augustine, *Enarr. in Ps.* 121.2.

10 Eastman 2011. Discussions of the complex questions dating the inscriptional evidence from the *triclia* can be found in Marichal 1953a; Marichal 1953b; 1962; Thümmel 1999, 78–9. For a sample of these inscriptions and discussion of their importance see Eastman’s study.

11 Augustine, *Conf.* 6.2.

ritual meal, both Christian and non-Christian – is more keenly debated. Augustine's complaint that in other parts of the world congregants did not bring sacrifices or enjoy meals at the shrines of the martyrs or treat them as living and powerful spirits demonstrates the extent to which martyr veneration had a particular hold in Augustine's Africa.¹²

The majority of martyrs recorded for posterity in the Carthaginian calendar are from urban centres.¹³ We can reasonably suppose that a great deal more from rural regions have been lost to us, but we should not automatically assume, following Shaw, that every sixth-century martyr was a fourth-century historical figure.¹⁴ The preservation of martyr *mensae* in the region around Bagaï in commemoration of those who died during the repression of 347 testifies to the otherwise unnoted existence of such rural martyrs.

Simultaneously, from the fourth century onwards, bishops and priests attempted to reframe and reset martyrdom as personal struggle more broadly conceived. Illness, resisting temptation and marital woes were refashioned as martyrdom for the new Christian age. Efforts to domesticate martyrdom by translating it to the apothecary, marketplace and bedroom met with variable success. Mundane temptations often failed to live up to the rhetorical power and allure of the mutilations lingered over by hagiographers and homilists.¹⁵

Liturgical Character and Function

While it is broadly and widely acknowledged that martyrdom stories are essentially liturgical documents, the liturgical function of these accounts can be variously interpreted.¹⁶ Certainly, stories such as the *Passion of Perpetua and Felicitas* had baptismal and Eucharistic overtones

12 Augustine, *De Civ. Dei* 8.27. We should note that in most parts of the world they did precisely that.

13 Lapointe 1972, 59–70.

14 Shaw 2011, 610–1. For the original list of martyrs cited by Shaw see Duval 1982, 105.

15 Augustine, *Serm.* 276.1, offers but one example of extended, almost voyeuristic interest in the disfiguring of a Christian's body.

16 Our primary evidence for this comes from the council of Hippo in 393, which permitted the reading of martyrdom stories on the anniversary of the martyrs's deaths. Council of Hippo 393, canon 36 (CCSL 149, 43 & 186). While irrelevant for

and imagery as well as the broader and more banal themes customary to the nascent *passio* genre. The reading of the martyrdom accounts on the martyr's birthday appears to have been a widespread practice, particularly at sites associated with the martyrs, such as their tombs, churches dedicated to them, or their places of execution.¹⁷ The decision of the Third Council of Carthage, in 397 CE, to permit the reading of the 'passiones Martyrum cum anniversarii dies eorum celebrentur' indicates that in Carthage and in principle the practice was supported by church authorities.¹⁸ The celebration of meals and the offering of wine and other foodstuffs was more problematic.¹⁹ Familial grief, religious custom and Donatist theology mixed easily in the *refrigeria* meals of which many partook.²⁰ The performance of ritual meals at the *mensae* of the martyrs was a feature of martyr veneration in Rome and elsewhere, but the nourishment of memory as well as body gave a particular tone to more mundane funerary meals. Whatever the stance of officials such as Cyprian and Augustine, it is clear that the majority of early Christians participated in these celebratory meals in honour of the martyrs, and viewed their participation as uncontroversial.²¹

In denouncing these meals Augustine 'paganises' the practice. As part of his argument that Catholic identity is purged of pagan corruption he argues that *Laetitiae* were not an old tradition, but an innovation conceded

this present study, we should beware of assuming that what was the case for North Africa was the case everywhere. Cf. Egeria, *Itin.* 19.2.

17 de Gaiffier 1954; 1969; Turner 1952; Delehaye 1927a, 191–3; Dix 1945, 470–2.

18 A number of subsequent councils, however, condemned the practice. The Roman Council of 494 actually condemned the public reading of the *acta* (PL 59, 171–2). The Sixth Council of Carthage, in 401, protested against the cult of martyrs whose martyrdom was not certain. Subsequently the Trullan Council at Constantinople in 692 excommunicated those who were responsible for the reading of spurious martyrdom traditions. We should note that, in these latter two instances, the problem is not the reading of martyrdom stories in general, but rather the reading of potentially unreliable traditions.

19 In his *Confessions*, Augustine refers to the celebration of the martyr's birthday with meals and libations (*Conf.* 6.2.2). It is noteworthy that this passage describes a scene in which Augustine's mother, Monica, is turned away from the graveyard by the porter (*ostarius*) and that Ambrose and Augustine find the practice embarrassing.

20 Duval 1982, 1.377–80.

21 MacMullen 2009, 57–62; Yasin 2005. As early as the third century, Cyprian rebuked the Christian community of Merida in Spain for their participation in funerary banquets, demonstrating that these meals were controversial even before Augustine.

by bishops under Constantine for newly converted pagans.²² In support of this idea he argued that these practices did not take place abroad and were, thus, not universal.²³ In 396 he supplemented this argument with the perspective that the meals repulsed the martyrs²⁴ and, in a sermon in 401, he argued that those who participated in feast days were authors of *seditiones* and the descendants of the persecutors of the martyrs they celebrated.²⁵ In characterising the debauched revelry of the Donatists in this way, Augustine was trying to link the avoidance of martyr veneration with the rhetoric of *unitas* and universality.²⁶

The *dies natales* of the martyr, then, appears to have been the occasion on which both martyrdom stories were read and celebratory meals were offered. This means that the practice of memorialising was, as in other non-Christian funerary practices, linked with celebratory meals. The reception of the martyr's legend involved eating, the communal aspect of which – the sharing of meals and stories with one another – fostered a shared sense of identity and *communitas*.²⁷ This combination of memorialisation and meal certainly recalls Roman banquets in honour of the dead but it also reconfigures our understanding of martyrdom stories in general.²⁸

22 Augustine, *Ep.*, 29, 9.

23 Augustine, *Ep.*, 29, 10.

24 Augustine, *Serm.* 273.

25 Augustine, *Sermo Denis*, 13, 4.

26 This observation was made by Bruno Pottier in his response to my original paper; I am grateful to him for it.

27 Classical archaeologists and sociologists have long recognised the role that food and drink play in creating broader sensory experiences during mortuary rituals, the aim of which is to influence and shape the process of remembrance. Moreover, in some societies, different flavours, temperatures and the use of spices, as well as the aromas given off by food, can have important symbolic connotations linked to ritual stages at the funeral. See Parry 1985. The experience of food through all the senses as well as its incorporation into the body is often seen metaphorically in the incorporation of the dead into memory. See Battaglia 1990; Eves 1996. Feasting and the sacrifice of vessels with food and drink would make the event memorable as well as evoke the remembrance of previous feasting events during earlier funerals. Similar ideas have been discussed by Hamilakis 1998; 1999. On the ways in which the cult of the saints nurtured communal identity see Février 1977; Yasin 2005. On the creation of Christian identity in light of martyrdom in general, see Lieu 2002 and Cobb 2008.

28 See the late third-century inscription from Mauretania: 'As the food and drinking cups were set out, and cushions piled around, So that the bitter wound that gnawed our hearts might be healed. And in this way we passed the evening hours in

The context in which stories about the deaths of martyrs and their fasting, eating and enjoying of culinary delights in heaven were absorbed was often itself consumptive.

The presentation of the martyr in liturgical contexts naturally lent the hero an exemplary status, a status that was exploited as part of the discourse of imitation. The reading of the martyr's story coupled with the memorialisation of the saint on the occasion of his or her *natilitia* was an education in the quasi-athletic enterprise of martyrdom.²⁹ The reading of martyrdom accounts in the cult of the martyrs served a particular pedagogical purpose: to instruct the Christian in the *habitus* of the martyr. Should the listener find him or herself faced with similar challenges, trials or questions, then they would be able to find the answers in the conduct of their models.

Martyrdom and Identity

The importance of martyrdom was such that even in the fifth century Catholic parents apparently continued to pray that their children would become martyrs.³⁰ Martyrdom and persecution continued to write the cultural script for North African Christians long after the Christianisation of the Roman Empire. The perpetuation of this idea was thanks in part – but not exclusively – to the struggle between Donatists and Catholics. According to most, the disputational cauldron in which Donatism was forged was the rebaptism controversy that followed hot on the heels of the Decian legislation. Martyrdom had always been a facet in the dispute between the Catholics and the dissidents and, thus, its utilisation in the religious and cultural schism that ensued was only logical.

While Augustine fought to wrestle and domesticate the power of the

pleasant talk, And in praise of our good mother', *ILCV* 1570. Cited and translated in Brown 1982, 23. Here the context for story-telling and memorialisation is a private celebratory meal organised by the deceased's children.

29 Augustine, *Serm.* 65.1 and 8.

30 This notion itself may have been an example of martyr imitation. Fourth-century Christian readings of the mother of the Maccabees (2 Macc 7) saw her as an exemplary mother filled with appropriate maternal love. It may well have been the case that this practice was also represented in North Africa and we should beware of exoticising it too much. For the Roman evidence see Cooper 2011, 224. Although, in Augustine's own time the diminished possibility of martyrdom likely made this an easier concept to embrace. Augustine, *Enarr. in Ps.* 108.17.

martyrs for everyday perseverance, Donatist clergy had no desire to quell the enthusiasm for the saints and harnessed the *auctoritas* of the holy dead with greater success. The more sophisticated line of Augustine – that the dissidents were not truly martyrs – was more complicated when set alongside the ancient examples. By contrast, the Donatists could reap the rewards of the ideological harvest. They lived in an age of martyrdom. They were the heirs of Cyprian, Perpetua and Celerina.

The preservation of both Donatist and Catholic versions of key martyrdom accounts – most famously the *Acts of Cyprian* – demonstrates the extent to which ecclesiastical struggles clouded the turf of the cosmic battle already taking place in martyrdom accounts. The emphasis on demonic involvement and the struggle against evil was a particular feature of late antique North African martyrdom accounts. The narrative institution of Satan in governmental and state authorities in pre-Constantinian accounts such as the famous *Passion of Perpetua and Felicitas* further bolstered the dualistic view of the world presented in Revelation. Despite the best efforts of those who interpreted these accounts, the demonic conflicts embedded in these narratives were rehearsed and repeated throughout the liturgical year. The struggle with Satan was constantly brought to life in the reading of martyrdom accounts and the new authorities slipped easily into the seats vacated by the expiring secular powers.

In the case of both Cyprian and Augustine, the rhetorical impact of their message was met with the supremely persuasive charismatic power of the persecuted confessors and martyrs. Bishops were persuasive, but martyrs outstripped them in sheer dynamism. Donatist writers responded to ecclesiastically grounded calls for unity by composing martyrdom accounts in which *unitas* was demonised. However, the use of martyrdom accounts to demonise the opposition was found on both sides. In the catholic *Martyrdom of Montanus and Lucius* the charismatic power of the martyr's words is coupled with the orthodox desire for unity to great effect. The demands of Flavian for unity are here compared to the parting commands of Jesus to love and his prayer for unity (John 17:20–3). In this passage, the unity called for by the orthodox episcopate is bolstered by the words of the martyr and the implicit analogy between the martyr's words and those of Jesus. By drawing together the farewell discourse of Jesus with the swan song of the martyr, the *imitatio Christi* serves to strengthen the rhetorical claims of the orthodox church.

The ubiquity of martyrdom as the defining feature of the new age was emphasised in earthy language that came close to notions of recreation.

Augustine himself describes the omnipresence of persecution in the following way:

‘Many are those who persecute me and punish me, but I have not turned away from witnessing for you’ (Ps. 119:157) This is a fact. We know it. We remember it. We recognise it. The whole earth is made dark red with the blood of the martyrs. Heaven is flowering with the martyr’s crowns. Our churches are adorned with memorials of the martyrs. Our own times are marked with the festivals of the martyrs. Cures due to the favours of the martyrs are becoming ever more frequent.³¹

The language is evocative of the agricultural imagery of Tertullian’s famous statement that the blood of martyrs is seed. The earth fashioned by God had been darkened and dyed not by water, but blood; blood so potent that it fertilised even the heavens. Augustine layers the general view of liturgy as uniting heaven and earth with a physical plant-based connection. The imagery of sprouting and flowering gives added force to the notion of persecution in ‘our own times’ as it emphasises not only the perennial quality of martyrdom and persecution but also the expansive nature of plant growth. Seeds sown in the time of Tertullian not only blossomed in Augustine’s own day but had come to greater fruition.

There is a palpable sense of tension in Augustine’s understanding of martyrdom as exemplary conduct, however. The utilisation of martyrs as pedagogical and ethical examples made them difficult to control. Augustine may have wanted to depict literal martyrdom as the stuff of the past and modern martyrdom as self-control and obedience, but his desire was undercut by the vibrant theologies of martyrdom that co-existed among Donatist groups.³²

Augustine’s supplementary argument – that just cause, not suffering, guaranteed the status of martyr – failed to take hold immediately. As Shaw notes,

The frequency with which Augustine had to reiterate his mantra that it was only the ‘just cause’ and not ‘suffering’ that made a true martyr – and the manifold ways in which he elaborated and expounded this peculiar viewpoint

31 Augustine, *Serm.* 276.1 compare *Enarr. in Ps.* 39.1 and 16 which explicitly develops Tertullian’s language.

32 This was difficult even on an exegetical level. The Maccabean martyrs – popular heroes in Asia Minor and Carthage – were the subject of three of Augustine’s sermons but were a source of tension for Augustine. He condemned the use of the example of Razis to legitimise suicidal practices.

– is a small measure of the extent to which the opposite view was widely prevalent, even among his Catholic parishioners.³³

Martyrdom and Eucharistic Imagery

The Donatist schism had its roots in the rebaptism controversy of the third century and became a central theological issue in North Africa by the fifth century, and rebaptism of converts has long been considered a hallmark of Donatist practice.³⁴ Consequently, any introduction to the Donatist controversy is sure to mention this dispute; it goes back to the time of Cyprian, and Augustine must work hard to lay claim to Cyprian's legacy while maintaining a position which contradicts that of the famous martyr-bishop. It may be surprising to note, then, that Donatist martyr stories employ very little baptismal imagery and do not emphasise baptism as a point of doctrinal dispute with their Catholic persecutors. Instead, the Eucharist is central to a number of the martyrdom stories.³⁵ The author of the *Sermon on the Passion of Saints Donatus and Advocatus* describes the *lapsi* as 'the deserters of the heavenly sacraments',³⁶ charges the Catholics with having turned the basilica into a fast-food restaurant (*popinam*)³⁷ and depicts the death of Siciliba the bishop as '[a sacrifice] before the altar of the holy Name'.³⁸ The repeated presentation of the deaths of the martyrs as Eucharistic sacrifices creates a close association between the two activities.

The Eucharistic imagery serves to amplify schismatic issues where it is a structuring device for issues of pollution.³⁹ In *The Acts of the Abitinian*

33 Shaw 2011, 607. See n. 74 especially.

34 When suggesting which authentically 'Donatist' practices would have survived until the sixth century, Markus can only point to rebaptism: see 1997, 192.

35 *Passio Datiui, Saturnini presbyteri et aliorum* 13.

36 *Sermo de passione Donati et Advocati* 2.

37 *Sermo de passione Donati et Advocati* 4.

38 *Sermo de passione Donati et Advocati* 11.

39 Shaw describes the inherited lines of contamination in the following way: 'In the eyes of dissident Christians in the age of Augustine, their Catholic enemies were genetically descended from the original collaborators. They had inherited the primal sin. And no one, not even ... Augustine doubted the African conviction that the primal sin was inherited – passed down from one generation of sinner to the next ... at the great conference at Carthage in 411, the dissident bishop Petilian from Constantia verbally challenged him [Augustine]: "who are you? Are you a son [sc.

Martyrs, for example, our author explains that the devil, having failed to thwart Christians through persecution, joined them ‘to himself with polluted traitors’.⁴⁰ In a ‘sharing of familial blood’ one would not want the blood of a traitor mixed with theirs, nor would they want to have familial ties to one who had denied Christ. The author recounts the command of the martyrs that ‘the renewed prodigy of the Christian name’ ought to be ‘separated from all filth and communion (ab omni recidiva communione traditorum secerneret, tali sub comminatione) with traitors by this warning: if anyone communicates (communicaverit) with the traitors, that person will not have a share with us in the heavenly kingdom’.⁴¹ Pollution in connection with communicating with the *traditores* is twice mentioned, and the author’s use of 2 Cor. 6.17–8 (‘do not touch the unclean and I will take you back and I will be a father to you and you shall be my sons and daughters’) to drive home his point also suggests physical contact as dangerous for familial pollution.⁴² The pure sons and daughters do not touch the unclean, much less Eucharistically construct themselves. It was arguably in the Eucharist that contamination of the *traditores* was most infectious.

Imitation and Pedagogy in North African Martyrdom Literature

A key aspect of the utilisation of martyrs by both Catholics and dissidents is their function as examples. Martyrs were presented as heroes for imitation and emulation. The use of moral *exempla* hardly began with the heroes of North Africa; the author of Hebrews provides a lengthy list of examples drawn from the history of Israel to demonstrate to his audience the merit of faithfulness. By happy coincidence, a number of these heroes exhibited faithfulness despite their persecution. The technique of providing lists of *exempla* is a valuable rhetorical and pedagogical tool, but for Christians it also became a part of religious tradition. In exhorting the church in Corinth to eschew jealousy, Clement of Rome used examples from Israel’s

of that traitor] Caecilian or aren’t you?” ... All the talk about kinship [at the council] was because the great sin was inherited, and to show who had acquired it. On these grounds, the Catholics were not just any congregation of bad Christians. They were a segregated and polluted congregation of traitors’ (2011, 72–3).

40 *Passio Datui, Saturnini presbyteri et aliorum* 22.

41 *Passio Datui, Saturnini presbyteri et aliorum* 21.

42 *Passio Datui, Saturnini presbyteri et aliorum* 22.

history and the early church to offer a series of types and antitypes for his readers. In *First Clement* 5 he turns from the ‘ancient examples’ and begins to review the ‘noble examples’ from his own generation. He describes the persecution and death of Peter and Paul and offers them as examples of endurance. The same shift from ancient Israelite to early Christian *exempla* is found in the opening of the *Passion of Perpetua and Felicitas*. Here the author tentatively places the martyrs of Carthage into a history that memorialises religious heroes for exemplary purposes, saying:

The deeds recounted about the faith in ancient times were a proof of God’s favor and achieved the spiritual strengthening of men as well; and they were set forth in writing precisely that honour might be rendered to God and comfort to men by the recollection of the past through the written word. Should not then more recent examples be set down that contribute equally to both ends? For indeed these too will one day become ancient and needful for the ages to come, even though in our own day they may enjoy less prestige because of the prior claim of antiquity.

The text presents the memorialisation of religious *exempla* as a facet of Christian life. They serve a distinct purpose in ‘strengthening’ the will of the audience and providing examples of proper conduct. Whereas here in the *Passion of Perpetua and Felicitas* the author is hesitant to equate the martyrs with more ancient *exempla*, later writers go further in extolling the martyrs as equals of the ancient heroes. The author of the *Martyrdom of Montanus and Lucius* asserts ‘it was not difficult for those of faith to believe that modern marvels could equal those of old, in view of the Lord’s promise through the spirit’⁴³ In this way the cautious suggestion of the author of the *Passion of Perpetua and Felicitas* that these martyrs will one day be revered as greatly as ancient examples is proved to be true. With the passage of time, additional layers to the mimetic economy are added so that each successive generation of martyrs models their conduct on that of their predecessors.

The chains of imitation continued to be welded in the Donatist period. Biblically grounded narratives of the martyrs’ lives and deaths served to assimilate the martyrs to Jesus and their antagonists to Biblical villains. The Donatist *Sermon on the Passion of Donatus and Advocatus* compares Roman – presumably Catholic – soldiers to Pharisees. The Donatist martyr Victoria, throws herself off a cliff but is miraculously saved from

43 *Passio Montani et Luci* 3.4.

bodily dismemberment. Her deliverance is an allusion, perhaps, to the Synoptic temptation accounts in which angels will bear up Jesus in such circumstances.

The late fourth-century Donatist *Martyrdom of Maximian and Isaac* expands the mimetic hierarchy by constructing elongated chains of imitation.⁴⁴ For not only do martyrs imitate Christ, but martyrs of later generations imitate their predecessors and serve as models for members of their congregation. The conclusion of the work exhorts Christians who have already confessed Christ to ‘follow their own pattern’, to imitate the martyrs who went before them and to strengthen those around them:

Now brothers and sisters, all these conditions which led them to the heavenly kingdom come round to you. These exemplars compel you. This situation drove them on first to these glories for your sake. The multitude of your own confessions made you teachers through your oft repeated professions of faith. Now they advise you concerning martyrdom. Your pattern which encourages others likewise now encourages you. Now they are holding out their arms to you from heaven, waiting for the time when they will run to meet you.⁴⁵

The construction of elaborate chains of imitation involving figures from the past is familiar to us from the opening of the *Passion of Perpetua and Felicitas*. The construction of the mimetic economy here in the *Martyrdom of Maximian and Isaac* is rhetorically forceful and sophisticated, drawing together promises of fellowship with the martyrs with exhortations to follow and become good examples.

Martyrdom and Ennoblement

Veneration of any kind involves the recognition of status and hierarchy. The ordinary Christian looks to the martyrs as *exempla* and trailblazers. They are elevated in the heavenly hierarchy, participating, according to

44 Tilley 1997b, 40–6.

45 *Mart. Maximian* 18: ‘Ad vos nunc, fratres, cuncta iam redeunt quae eos ad regna caelestia deduxerunt. Vos exempla ista compellunt, quae illos primo per vos ad has glorias compulerunt. Magistros vos illis confessionum frequentia crebis opinionibus fecerat et ipsi nunc vobis de martyrio suggerunt. Similiter documenta vestra vos adhortantur quae alios adhortata sunt. Tendunt ad vos e caelo iam brachia opperientes tempus quo vobis occurrant.’ Maier 1987, 275, translated in Tilley 1996, 74–5.

the Carthaginian traditions, at a heavenly banquet and participating in the judgement of the ordinary dead. Martyrdom was paradoxically both a means of becoming exalted and climbing the social order and a means of reinforcing current social structures.

On the one hand, status differential between martyrs and ordinary laypersons was acute. Martyrs were not prayed *for* even if they were not prayed to, and their assistance was requested by the adoring public who had trouble distinguishing the difference.⁴⁶ Aristocratic titles and functions were accorded to the martyrs. Augustine describes them in elevated terms:

All these actions present us to the authentic princes of the church, the people who are worthy to lead us, the ones worthy of imitation, worthy of high honours, I mean the martyrs, who hold the highest rank in our churches and who are pre-eminent on that pinnacle of holy dignity.⁴⁷

For Augustine, the nobility of the martyrs was problematic. His repeated insistence that suffering and death do not in and of themselves confer status was met with considerable opposition by people more broadly. It ran counter to the culturally instinctive idea that the performance of noble suffering was itself ennobling.⁴⁸ For the majority of participants in the cult of the saints martyrdom was the primary means by which ordinary Christians could aspire to the kinds of aristocratic ranks otherwise held by bishops or angels.

On the other hand, earthly celebrity and rank barely contained itself beneath the surface of martyr veneration. In his encomium on the Psalms Augustine mentions the celebrated martyr Crispina, noting that story of the ‘wealthy and refined’ young woman was known to almost all in Africa on account of her ‘brilliant rank, noble lineage, and [wealth]’.⁴⁹

Similar observations can be made of the acclaimed Perpetua, who was – according to the *Passio* at least – well educated, well-born and

46 Aug. *Serm.* 159.1.1.

47 Augustine, *Enarr. in Ps.* 67.36.

48 On suffering, virtue and nobility see Barton 1995, 17–8; Moss 2012, 23–48.

49 Augustine, *Enarr. in Ps.* 120.13. Sociological theorists hypothesise that martyrdom was a high-cost activity for the wealthy, who presumably had more to lose than the poor. Thus the infiltration of martyrdom into higher social strata might be read as a sign of Christianity’s growth and power. It is worth noting, however, that the story of Crispina’s martyrdom does not provide information about her social status or rank. It was and is not necessary to view her – as Augustine does – as well born. The elevation of her social status may be in keeping with the promotion of Perpetua (see below).

well married. Perpetua's supposed breeding jars with some aspects of the narrative and, thus, some scholars have hypothesised that she was a concubine elevated in rank by the redactor of her 'prison memoir'.⁵⁰ If this is the case it would only add to the rather consistent interest in hierarchy and rank in the North African discourse of martyrdom. At least in the literary evidence, the chronicles of the martyrs are filled with those who enjoyed elevated rank even in life. If martyrdom conferred status in death it was a status that was regularly conferred upon those who were already aristocratic or ecclesiastically powerful.

Closely connected to the notion of ennoblement and the titles of aristocracy accorded the martyrs was the idea of inheritance and participation in a history of martyrdom and persecution. Memory and history were manipulated to construct a lineage of martyrs and a living canon of saints to which the ordinary Donatist had access. The trans-epochal language of persecution and discipline, coupled with narratives in which an 'emperor had persecuted their flesh', brought the past into conversation with the present. What the editor of the *Passion of Perpetua and Felicitas* called 'ancient' and 'new' examples resounded as equally true for those living through the 'imperial persecutions' of the late fourth century. The old Maccabean rhetoric that persecution was nothing more than divine discipline and correction sprang back into life in the hands of the Donatists. Laying claim to earlier histories of persecution had been a rhetorical strategy since Justin Martyr and however Augustine might seek to mock this idea it was as vibrant in the fifth century as in the second.⁵¹

Conclusion

Recent scholarship on the veneration of martyrs in general in late antiquity has stressed the interest in cosmic battle, identity formation and exemplarity. In truth, many of these generalities apply more appropriately and with increased relevance to North Africa. While the memorialisation of the martyrs was one venue in which Christian identity was produced and

50 This idea was first shared with me by Kate Cooper, who raised it tentatively in her 2012 article 'A Father, a Daughter and a Procurator: Authority and Resistance in the Prison Memoir of Perpetua of Carthage'. For further discussion see pp. 131–2 in that article.

51 For Augustine on the basis of these claims see Augustine, *Tract. in Ioh.* 5.12; 11.13.

reproduced this is nowhere more apparent than in the contest for control of the saints between Catholics and Donatists. The fact that Augustine changed his tune in the later years of his life and imported weighty martyrs such as St Stephen in some ways stands as a testimony to the might of martyr veneration in the contest for Christian authority.

If distinctive features are to be sought in North Africa it is to the particular interest in a sequence of tensions: asceticism in general versus gluttonous indulgence with the already feasting saints; eagerness for literal martyrdom versus mimetic practices of self-restraint couched as latter-day martyrdom; and the egalitarianism of the martyrs offset against the hierarchies reproduced in notions of martyrdom themselves. Martyrdom was both a path to debauchery and a form of social elevation. In the veneration of the martyrs the competition for the attention of the believer was most fiercely contested. The claim of the Donatists that they were the 'Church of the Martyrs' was a refrain that echoed the language of Tertullian and Ignatius of Antioch. What was true for the veneration of martyrs in general was more acutely felt in North Africa and most deeply by the Donatists.

DONATIST MARTYRS, STORIES AND ATTITUDES

Alan Dearn

In 395 CE,¹ while still a *presbyter*, Augustine wrote a famous letter to Alypius, bishop of Thagaste and friend of his youth.² In it he relates his energetic attempts to ensure that the anniversary of the martyr Leontius at Hippo was celebrated in a fitting manner, rather than through a drunken *laetitia*.³ After several days of preparatory preaching and diplomacy, Augustine describes how his sermon on the afternoon of Leontius' day itself, Friday 4 May, was disturbed by the sound of revelry in the martyr's honour from the nearby church of the Donatists.⁴ He tells Alypius that he was able to use the background noise of the Donatists' *laetitia* to make the point that the sober celebrations of his congregation were made the more pleasing in contrast.⁵

This chapter examines the manner in which Donatist polemicists sought to use the legacy of the martyrs to define the identities of their communities. Our sources for this discussion are the martyr stories themselves, exhortative and polemical works which made the memory of the martyrs relevant to different contexts, and the epigraphic evidence for their cult. In reconstructing Donatist attitudes, however, the greatest problem we face is that most Donatist polemic is known from being summarised and refuted in the works of their opponents, most notably Augustine.

- 1 I would like to record my deep appreciation to Professor Averil Cameron for her formidable supervision and unfailingly generous support.
- 2 Augustine, *Ep.* 29. For Alypius, see *PCBE*, Alypius. For a discussion of the contents of the letter, see Bonner 1963, 116–9; Van der Meer 1961, 498–526.
- 3 Augustine, *Ep.* 29.2.
- 4 Augustine, *Ep.* 29.11: 'Habui brevem sermonem, quo gratias agerem deo, et quoniam in haereticorum basilica audiebamur ab eis solita convivia celebrata ... dixi diei pulchritudinem noctis comparatione decorari et colorem candidum nigri vicinitate gratiorem ...'
- 5 Augustine, *Ep.* 29.11: '... ita nostrum spiritalis celebrationis conventum minus fortasse futurum fuisse iucundum, nisi ex alia parte carnalis ingurgitatio conferretur ...'

Augustine's letter to Alypius provides a fitting cautionary tale within which to locate this discussion. The incident does not illustrate a difference between essential Catholic and Donatist attitudes, but exemplifies how problematic it is to draw such contrasts. The form which Augustine's commemoration of Leontius' anniversary took was something he imposed upon his congregation, largely against their will.⁶ Without Augustine, the Catholic and Donatist basilicas of Hippo would both have been filled with festivities in Leontius' honour. The ecclesiastical distinction between Catholics and Donatists in a sense cut across the grain of a much older tension, which Peter Brown has described as 'public' and 'private' veneration of the holy dead.⁷ In North Africa the particular focus of such tension was the celebration of *refrigeria*, commemorative meals held in honour of the martyrs on their *dies natalis*, the anniversary of their death.⁸

Brown's model is useful, as it reminds us that we must be cautious before thinking of any practice or belief as inherently Catholic or Donatist. In particular, it should make us wary of polemical language which invites us to do so. For example, Augustine criticises the Donatists because 'their' *circumcellions* engage in drunken feasts connected to martyr cult, despite the fact that the Donatist bishops disown any relationship with them.⁹ The ambiguities or excesses of martyr cult were an easy way to attack one's opponents, and we see very similar accusations made in support of a number of very different positions. Maximus of Madauros, for example, defends the traditional gods of the Roman city with an attack on Christian martyr cult,¹⁰ while Faustus the Manichee criticises such practices as idolatrous.¹¹ Indeed, the Donatist author of the *Sermo de passione Donati et Aduocati* describes Catholic festivities in a basilica they had seized in very similar terms to those used by Augustine against the Donatists.¹² In every case the person or group which the polemic targets is associated with the practices being criticised, and thus tarred with the same brush.

6 See, for example, Augustine, *Ep.* 29.8.

7 Brown 1981, 32–5. See also Frend's comments on the divergence between lay and clerical attitudes towards the martyrs at the time of Cyprian (Frend 2004, 158).

8 Van der Meer 1961, 499–503.

9 For example, see Augustine, *C. Litt. Petil.* 1.24.26–7.

10 Augustine, *Ep.* 16.2.

11 Augustine, *C. Faust.* 20.21. Augustine also responds to this accusation in *De Civ. Dei* 8.27.

12 *Serm. de pass. Donati* 3: '... profanantur sacramenta; superinducta gentilitatis caterua, conventicula sacra fiunt, luculenta convivia'.

Nevertheless, Catholics and Donatist polemicists used the martyrs of the past to demarcate their own idealised group from that of their opponents, creating and strengthening the antithesis between ‘us’ and ‘them’; between the *pars Donati* and the *Macariani*. For Donatists, this meant denying that persecution belonged only to the pre-Constantinian world and legitimising the victims of Catholic violence as martyrs.

The Bollandist Hippolyte Delehaye was undoubtedly the scholar who did most to establish a methodology for the study of hagiography, and his legacy is enduring. Delehaye considered that he was involved in the task of ‘l’hagiographie scientifique’,¹³ the aim of which was to classify hagiographic texts according to their degree of authenticity and historical reliability.¹⁴ The focus on authenticity has exerted great influence over many other modern approaches to the study of martyrology. For example, Musurillo made reliability the main criterion for his selection of texts,¹⁵ while Saxer partly organises his overview of North African hagiography according to how accurate he considers the accounts to be.¹⁶ The focus upon historical authenticity is also the basis for most critical editions of hagiographic texts, striving to recover the ‘reliable’ *Urtext*, which is then mined for reliable information for the period it relates to. A case in point is Frend’s *Martyrdom and Persecution in the Early Church*, which displays a remarkable willingness to treat martyr stories as hard evidence for the events they describe.¹⁷

Although we have much to thank Delehaye for, part of his legacy has been to encourage generations of scholars to ask the least interesting questions possible of extant martyr stories. All evidence of the martyrs from North Africa is evidence of their use. The distinction between the time a martyr story is set and the time during which it was written or altered must be kept. It is usually impossible to establish when a particular martyr story was written, and many that survive do so in different versions, which owe their uniqueness to the context in which each was written. Any given martyr story may actually comprise a plurality of texts, as stories

13 Delehaye 1927b, v.; Grig 2004, 2–4.

14 Delehaye 1927b, 106.

15 Musurillo 1972, xii.

16 Saxer 1980, 25–95. For example, Saxer describes the *Passio Typasii veterani* and the *Passio Fabii vexilliferi* separately from other texts relating to the Great Persecution (66–8), owing to their lesser authenticity.

17 As Boyarin points out in a savage, albeit justified critique (1999, 129–30).

were altered and made relevant to different contexts. For example, certain martyr stories have been thought to exist in both Catholic and Donatist versions, based on small differences between extant manuscripts. Editing a text in order to establish its most authentic form tends to obscure the way that the stories of exemplary holy people take shape in dialogue with the context in which they are used. This discussion of polemical content in surviving hagiographic texts must therefore proceed with great caution. Any given version of a martyr story preserves one moment in a story's use, and it is misleading to create a synthetic text from the sometimes diverse versions which survive.

To what extent, then, is it possible to recover distinctively 'Donatist' martyr stories and use them to reconstruct 'Donatist' attitudes? This task requires great care. Several texts have been identified as Donatist on the basis of small manuscript variations or particular details within their narrative. But what does it really mean to call a text 'Donatist'? In the case of the story of the Abitinian martyrs, the answer is obvious: the story is framed in terms which explicitly seek to enlist the support of the martyrs in a polemic against Caecilian.¹⁸ Accounts of Donatist clergy killed by the imperial authorities are even more unequivocal examples. But in the case of other stories supposed to contain 'Donatist' elements I am less convinced. Implicit in the identification of 'Donatist' versions of text is the assumption that the antithesis between Catholics and Donatists was so profound and obvious that minor textual variations could act as symbols of ecclesiastical affiliation.

The clearest example of this approach is furnished by the attempt to identify a Donatist version of Cyprian's *passio*. Maier includes a Donatist *passio* of Cyprian in his *Dossier du Donatisme*, which Tilley translated in her volume of *Donatist Martyr Stories*.¹⁹ Such claims are made on the basis of a number of problematic assumptions. Tilley gives her translation the title *The Donatist Passion of Cyprian*.²⁰ This title is of her own making. There is no ancient text which explicitly identifies itself as a *Passio* of Cyprian written from a Donatist perspective. Rather, we are dealing with one of a large number of versions of the account of Cyprian's death usually known as the *Acta proconsularia*.²¹ The *Acta proconsularia* may

18 Dearn 2004, 1–18.

19 Maier 1987, nr. 9; Tilley 1996, 1–5.

20 Tilley 1996, 1.

21 Monceaux 1901–23, 2.182; Saxer 1980, 35–43.

be distinguished from Pontius' *Vita Cypriani*, which draws upon the *Acta* but provides a much fuller account of Cyprian's life.

The different versions of the *Acta proconsularia* were distinguished by Reitzenstein in 1913, forming the basis of the various texts in the *Bibliotheca Hagiographica Latina*.²² In its fullest form, the *Acta proconsularia* consists of three sections. These describe Cyprian's interrogation and banishment by the proconsul Paternus in 257, his interrogation by Paternus' successor Galerius Maximus in 258, and his subsequent execution.²³ It seems likely that the text achieved its present form prior to the fourth century and, indeed, the account of Cyprian's first interrogation was already circulating in Africa during his lifetime.²⁴ It is this full version of the text, as edited by Reitzenstein, which forms the basis of Musurillo's translation in *The Acts of the Christian Martyrs*.²⁵

However, Reitzenstein also identified two abbreviated versions of the *Acta proconsularia* in the manuscript tradition.²⁶ The second of these recensions edited by Reitzenstein supplies the text used by Maier and Tilley.²⁷ The text consists of the last two sections of the fuller *Acta proconsularia*, describing Cyprian's second interrogation before Galerius Maximus in 258 and his death, and it clearly made use of the fuller text of Cyprian's martyrdom. It is therefore misleading to differentiate, as Tilley does, between the *Acts of Cyprian* and the *Donatist Passion of Cyprian* as though they were completely separate texts.²⁸ Nevertheless, for our purposes, a distinction will now be made between the *Acta proconsularia* (as the full account) and the *Passio Cypriani* (as the abbreviated account), and the different texts will be cited accordingly.

On what basis, then, has the *Passio Cypriani* been identified as Donatist? Part of the answer lies in the manuscript context in which the text was found. The sole text which supports a 'Donatist' identification (*BHL* 2039c) derives from a ninth-century manuscript from Wurzburg.²⁹

22 Reitzenstein 1913, 1–69.

23 Monceaux 1901–23, 2.182.

24 Cyprian, *Ep.* 77.2.1. See Monceaux 1901–23, 2.181–3; Saxer 1980, 36.

25 *BHL* 2037a; Reitzenstein 1913, 12–7; Musurillo 1972, xxxi, 168–75.

26 Reitzenstein 1913, 20–2, 35–7.

27 *BHL* 2039c; Reitzenstein 1913, 35–7; Maier 1987, 122, n. 3. Note that Tilley mistakenly gives the reference for her text as Reitzenstein 1913, 12–7 (Tilley 1996, 91).

28 Tilley 1996, 1.

29 Maier 1987, 122.

This manuscript has been plausibly identified as a Donatist collection of Cyprianic texts selected for their value in anti-Catholic polemic.³⁰ It may, therefore, provide evidence for Donatist use of a *Passio Cypriani*, which would in any case hardly be surprising; but is there anything about the text itself which identifies it as inherently ‘Donatist’? The main reason given for its identification is that Cyprian responds to the proconsul’s condemnation with the words ‘deo laudes’ rather than with the more usual ‘deo gratias’.³¹ The presence of this phrase in the Wurzburg version of the *Passio Cypriani* was also crucial for Reitzenstein’s identification of the collection of Cyprianic texts as a Donatist corpus.³² There is thus a danger of circular reasoning in identifying the *Passio* as Donatist because it derives from a Donatist context. The presence of ‘deo laudes’ has also been used to identify ‘Donatist’ versions of the *Passio Crispinae*, so it is worth considering briefly the strength of this claim.

The interpretation of ‘deo laudes’ to identify Donatist texts owes its promotion to Monceaux, particularly in his discussion of North African epigraphy. For Monceaux, if an inscription contained the expression ‘deo laudes’ it was *ipso facto* Donatist, while the presence of ‘deo gratias’ marked an inscription as Catholic.³³ He based his view on a number of passages in Augustine which ascribe the phrase ‘deo laudes’ to his opponents.³⁴ The most pertinent example of this is found in a sermon Augustine preached on Cyprian in 410. Having argued that Cyprian championed unity and peace, he contrasts the ‘deo gratias’ with which Cyprian met the news of his death sentence with the ‘deo laudes’ of the Donatists.³⁵

However, it is unwise to attribute ownership of the phrases as rigidly as Monceaux sought to do. The evidence of Augustine is drawn from

30 Reitzenstein 1914, 86; Tilley 1996, 1.

31 Compare *Acta Proconsularia* 4.3; *Passio Cypriani*, 77–8. For the presence of ‘deo laudes’ as the text’s identifying ‘Donatist’ feature, see Reitzenstein 1914, 87–90; Maier 1987, 122; Tilley 1996, 2.

32 Reitzenstein 1914, 88.

33 Monceaux 1901–23, iv, 439.

34 For example, see Augustine, *C. Litt. Petil.* 2.65.146: ‘Considerate paululum quam multis et quantum luctum dederint “deo laudes” armatorum uestrorum.’; *Ep.* 108.5.14; *Enarr. in Ps.* 132.6; *Serm.* 313E.6. Monceaux 1901–23, 4.439.

35 Augustine, *Serm.* 313E.6: ‘Itaque quisquis tunc stans a longe Christianus catholicus audierit “Deo laudes”, iam contremiscit, iam quaerit qua fugiat, ne praecipitationes ipsorum videat.’

highly polemical contexts in which he sought to draw a sharp demarcation between Catholics and Donatists. Describing ‘deo laudes’ as the Donatist ‘cri de guerre’³⁶ and using it to identify group membership is to accept uncritically the binary division of North African Christians into Catholics and Donatists, a division which polemicists sought to assert. The rigidity of terminology implied by Augustine is simply not supported by evidence from non-polemical contexts. For example, Augustine’s own congregation responded to the miraculous healing of Palladia at the shrine of Stephen in 426 with shouts of ‘deo gratias, Christo laudes’,³⁷ with Augustine reporting their words as ‘deo laudes’ when he recounted the incident in *De ciuitate dei*.³⁸ Similarly, the announcement of Augustine’s successor was met with acclamations of ‘deo gratias, Christo laudes’.³⁹ Even if the presence of ‘deo laudes’ does indicate a Donatist hand, it is merely evidence that Donatists valued the hagiography of Cyprian, which was clearly the case. There is no version of Cyprian’s *passio* which reflects an attempt by Donatists to claim the story as their own through manipulation of the text itself, despite the abundant evidence for competition over the ownership of Cyprian’s legacy.

Similar issues concern the interpretation of the *Passio Crispinae*. The text describes Crispina’s interrogation before Anullinus at Tebessa on 5 December 304, and her refusal to offer sacrifice despite the proconsul’s conciliatory attitude, which ultimately leads to her execution.⁴⁰ Donatist influence has also been imagined in the manuscript tradition; in the manuscript edited by Mabillon, Crispina responds to Anullinus condemning her to death with the words ‘Christo laudes ago’, rather than the ‘deo gratias’ of the manuscript from Autun.⁴¹ Indeed, for Maier this difference is ‘la principale interpolation dénotant une main donatiste’.⁴² However, we might note that the manuscript of the *Passio Crispinae* reported by

36 Monceaux 1901–23, 4.439.

37 Augustine, *Serm.* 323.4: ‘Et cum haec diceret Augustinus, populus de memoria sancti Stephani clamare coepit: “Deo gratias! Christo laudes!”’.

38 Augustine, *De Civ. Dei* 22.8: ‘Procedimus ad populum, plena erat ecclesia, personabat uocibus gaudiorum: “Deo gratias, deo laudes!” nemine tacente hinc atque inde clamantium.’

39 Augustine, *Ep.* 213. 1, 2, 4.

40 *Passio Crispinae* 2.1: ‘Anullinus dixit: Sed ut iam deuota sis quaerimus, ut in templis sacris flexo capite diis Romanorum tura immoles.’ Maier 1987, 105. Tilley 1996 does not include the *Passio Crispinae*.

41 *Passio Crispinae* 4; Maier 1987, 111, n. 25; Monceaux 1901–23, 3.161; Saxer 1980, 60.

42 See Duval’s critique (1989, 174).

Ruinart has a third version of Crispina's response: 'gratias ago deo meo Iesu Christo'. It appears that ancient hagiographers permitted themselves greater flexibility than modern interpreters have allowed.

The attempts to identify a Donatist *Passio Cypriani* and *Passio Crispinae* clearly use a problematic methodology, as does, for that matter, attempts to see Donatist influence in the martyr story of Felix the bishop. Ordered to surrender the *libri deifici* by the *curator* of Tibiuca,⁴³ in obedience to Diocletian's edict of 23 Feb 303, Felix refuses.⁴⁴ He is then sent to Carthage, appears before the proconsul Anullinus and is executed on 15 July 303.⁴⁵

The account of Felix accepting death rather than being guilty of *traditio* obviously resonates with the grounds for Caecilian's contested election. It celebrates the heroic refusal to hand over scriptures to the imperial authorities or to adopt any of the subterfuges or rationalisations which we find in other texts.⁴⁶ As a result, Tilley sees the text as both emblematic of Donatist attitudes towards scripture and important background for the consideration of later texts.⁴⁷

The only problem with this conclusion is that the text does not actually exist. The manuscript tradition for the *Passio Felicis* is complex, and the process by which its modern critical edition was produced must be examined carefully before any interpretation is possible. What survived from antiquity are two versions of the story which describe Felix being sent to face judgement before the Praetorian Prefect in Italy.⁴⁸ These appear to have had the function of legitimising the relic cult of Felix in Italy, or perhaps that of an Italian martyr who bore the same

43 The manuscript tradition does not support a reliable reading of the name of Felix's *civitas*. A *curator rei publicae*, bearing the same name as Felix's first interrogator Magnilianus, is known from two inscriptions (*CIL* viii. 23964–5), on the basis of which Duncan-Jones has identified Tibiuca as Henchir Bou Cha, 34 miles south of Carthage. See Duncan-Jones 1974; *PCBE* Magnilianus.

44 *Passio Felicis* 14–5: 'Magnilianus curator dixit: Da libros ut possint igni aduri. Felix episcopus dixit: Melius est me igni aduri quam scripturas deificas: quia bonum est oboedire Deo magis quam hominibus.'

45 *Passio Felicis* 29–31.

46 Augustine, *C. Cresc.* 3.30; Maier 1987, nr. 7. For example, see Marinus of Aquae Tibilitanis' defence of his actions: 'Dedi Pollo chartulas, nam codices mei salui sunt.' (Maier 1987, 116).

47 Tilley 1996, 8.

48 Saxer 1980, 54; Maier 1987, 48, 55 n. 30; Monceaux 1901–23, 3.136–40; Delehaye 1921, 242.

name.⁴⁹ The Latin text assiduously translated by Musurillo, Maier and Tilley⁵⁰ was actually written by Delehaye in 1921 as a reconstruction of an African *Urtext* he assumed must have existed.⁵¹ Since the Nola redactions refer to relics of Felix being sent back to Africa and deposited ‘in uia quae dicitur Scillitanorum, in Fausti’, Delehaye reconstructed his ‘African’ text by referring to the burial of Felix at that site following his execution by Anullinus at Carthage.⁵² It is thus clearly of no use in reflecting an African polemical context. Nor can it be the case that ‘it does provide background information for the consideration of later stories’, as Tilley suggests.⁵³

What of the *Passio Maximae, Donatillae et Secundae*? The account of the ‘virgins of Thuburbo’ is known to modern scholarship from two manuscripts,⁵⁴ so presents none of the problems of different manuscript traditions raised by the *Passio Felicis*. However, the text itself is difficult to interpret, as it appears to have undergone considerable redaction before reaching its extant form, probably after the beginning of the fifth century.⁵⁵ The story describes the Christians of Africa Proconsularis in 304 being directed to sacrifice by the emperors Maximian and Gallienus, clearly an error for Galerius, through the enthusiastic agency of the Proconsul Anullinus.⁵⁶ This is met by widespread acquiescence, even on the part of

49 Monceaux suggested that the cult of Felix may have been brought to Italy by African refugees from the Vandal or Byzantine conquests (1901–23, 3.139). See also Maier 1987, 47; Musurillo 1972, xl.

50 Maier 1987, 48 n. 7; Tilley 1996, 8.

51 Delehaye 1921, 241–76. See 247–52 for the Venusium recension, 252–9 for Nola, and 268–70 for Delehaye’s ‘restored’ text. Note that what Musurillo reproduces as the ‘appendix’ to Delehaye’s text of the *Passio Felicis* is actually the part of his text which does derive from the (Venusium) manuscript tradition (1972, 270–1). Monceaux shared the assumption of an original African text (1901–23, 3.137): ‘Pour reconstituer l’histoire vraie du martyre, on doit donc s’en tenir à la portion du texte de Ruinart qui se rapporte à l’Afrique.’

52 *Passio Felicis* 31. Delehaye 1921, 265.

53 Tilley 1996, 8.

54 *Passio Maximae, Donatillae et Secunda*, De Smedt 1890, 110–6; Maier 1987, Tilley 1996, 13–24. As Tilley points out (17), the text survives in only one manuscript. However, a second manuscript, now lost, is included in Maier’s apparatus as *A* (Maier 1987, 94–5).

55 Maier 1987, 95.

56 *Passio Maximae, Donatillae et Secundae* 1. Maier (1987, 95, n. 22) suggests that the confusion between Gallienus and Galerius may reflect the influence of the *Acta Cypriani* over the North African hagiographic tradition.

the 'presbyteri et diacones cum universo clero'.⁵⁷ However, two sisters, the *castimonialae* (sic) Maxima and Donatilla, refuse to sacrifice. After trading insults with Anullinus, they are transported to Thuburbo, tortured and eventually executed. On the way to Thuburbo, they are joined by a 12-year-old girl named Secunda, who leaps down from her window, preferring to join them in martyrdom rather than endure marriage and her parents' wealth.⁵⁸

The main reason that Donatist influence has been detected in the text is that Secunda is described as throwing herself down from her balcony in order to join Maxima and Donatilla.⁵⁹ Optatus and Augustine accuse Donatists of self-martyrdom, calling those who throw themselves from cliffs *praecipitati*,⁶⁰ so Secunda's leap, if that is what it was, is equated with this practice.⁶¹ This argument is not very convincing. Secunda is not portrayed as attempting suicide, but simply as rushing to join Maxima and Secunda. Indeed, we might translate the description of her action – 'exinde se praecipitavit' – simply as 'she then rushed headlong' from her balcony. In any case, the fact that Augustine accused his opponents of throwing themselves off cliffs does not mean that the appearance of *se praecipitare* in a text is sufficient to identify it as 'Donatist'. As in the case of the expression *deo laudes*, we are faced with the tendency for scholarship to take Augustine's polemical antitheses as giving an accurate description of clearly defined groups. But, again, this is a perception which Augustine seeks to create through assertion.

The fact that Augustine himself commemorated the martyrs of Thuburbo in his preaching should counsel caution before we identify their story as Donatist.⁶² There is nothing inherently Donatist in the narrative of heroic martyrdom in the face of widespread apostasy unless the story is read through the prism of polemic. For example, Tilley refers to the apostate Christians in the text as 'Catholics', even though there is nothing

57 *Passio Maximae, Donatillae et Secundae* 1.

58 *Passio Maximae, Donatillae et Secundae* 4: 'Cumque eas proficisci uideret per maenianum domus suae nimis excelsum respiciens, exinde se praecipitavit nullum habens ante oculos intuitum diuitiarum parentum: omnes utique mundi huius, ut dictum est, squalores contempsit, diuitias despexit, unum concupiuit quem in aeternum inuenire meruit.'

59 Maier 1987, 100, n. 43.

60 For example, see Optatus, *De Schism. Donat.* 3.4; Augustine, *Serm.* 313E.5.

61 *Passio Dativi, Saturnini presbyteri et aliorum* 17; Maier 1987, 82, n. 74.

62 For example, see Augustine, *Serm.* 345.1.

to suggest that the author equated them with one faction of the divided North African church.⁶³

Donatist Hagiography

So far, we have been dealing with hagiography which in essence belonged to both Catholics and Donatists. Of the martyrs who died prior to the outbreak of the schism, only the *Passio Datui, Saturnini presbyteri et aliorum* survives in a form which clearly owes its composition to the dispute between Catholics and Donatists. Despite claims to the contrary, this is not the case with the extant hagiography of Cyprian, the martyrs of Thuburbo or Crispina. It is possible that other polemical appropriations existed, along with the *Passio Datui, Saturnini presbyteri et aliorum*, representing the attempt by Catholics or Donatists to claim their shared inheritance exclusively for themselves. However, if such texts existed they have not survived, but were probably suppressed or refashioned to serve later liturgical ends.

To turn to the *Passio Maximiani et Isaac* and the *Passio Marculi* is to enter into a different world. Although much North African hagiography written prior to the Donatist schism had the purpose of interpreting the martyrs they depicted to serve the interests of particular Christian attitudes, the martyrs did not belong to any one group exclusively. By the middle of the fourth century North African churches had demarcated themselves into competing groups quite willing to persecute each other. The alliance between the church of Caecilian and the imperial government perhaps did more than anything else to define Catholics and Donatists as distinct groups. For the first time, one group of North African Christians could claim ownership over the memory of martyrs killed by their ostensibly Christian persecutors.

There are only two extant martyr stories, the *Passio Marculi* and the *Passio Maximiani et Isaac*, that deal with Donatist victims of imperial persecution, but there were certainly more. For example, the *Sermo de passione Donati et Advocati*, which will be discussed below, reflects the liturgical use of a text that has not survived. Similarly, Donatus of Bagaia, who was killed under Constans, was venerated widely among Donatists and was probably celebrated in a lost *passio*.⁶⁴ To these we may add the

63 *Passio Maximae, Donatillae et Secundae* 1; Tilley 1996, 64.

64 Monceaux 1901–23, 5.81–2.

many martyrs known only from epigraphy or from literary references to large numbers of martyrs, many of whom undoubtedly attracted local cult and, perhaps, literary commemoration.⁶⁵ Both the *Passio Marculi* and the *Passio Maximiani et Isaac* are set during Constans' attempt to unify the North African church between 346 and 348,⁶⁶ the time remembered in Donatist polemic as the *tempora Macariana*.

The *Passio Maximiani et Isaac*

The context of the *Passio Maximiani et Isaac* is impossible to establish with precision. Written in the form of a letter, such evidence as we have for its authorship and date of composition derives from the *inscriptio* found in most of the manuscripts. As well as giving the date of the martyrdoms, thus indicating its intended liturgical use,⁶⁷ the titles attribute the letter to one Macrobius.⁶⁸ He is generally identified as the Macrobius reported by Optatus to have been the bishop of the Donatist community at Rome in about 366.⁶⁹ The date of the *passio*'s composition is also uncertain, with either around 366 or close to 347–8 being most likely.⁷⁰ Even the setting of the story during the *tempora Macariana* of 346–8 is not made explicit in the text, but rests on circumstantial evidence within the narrative.⁷¹ Despite this, the *passio* is very valuable in providing insight into the way in which Donatist polemic sought to connect the experience of persecution to the valorised past. The story is set following the promulgation of an imperial edict of unity, presumably that of Constans.⁷² Maximian, a

65 For example, see the reference in *Passio Maximiani et Isaac*, 3.14 to the 'martyres infiniti Numidiaie'.

66 For the general context and dating of the *passiones* to 347, see Maier 1987, 256–9 with the references there. See also Monceaux 1901–23, 5.69–98; Mastandrea 1995, 44–5.

67 Monceaux 1901–23, 5.88.

68 In particular, the letter is attributed to Macrobius in the *subscriptions* of the earliest two manuscripts, dating from the ninth and tenth centuries. See Mastandrea 1995, 76, 88.

69 Optatus, *De Schism. Donat.* 2.4.1; Monceaux 1901–23, 5.90–1; *PCBE*, Macrobius 1.

70 Monceaux 1901–23, 5.90–1; Maier 1987, 258. Tilley 1996, 61; Tilley 1997b, 70. Tilley's assertion that the *Passio*'s exhortation to martyrdom would only fit a context before the end of 348 is not persuasive.

71 *Passio Maximiani et Isaac*, 3.16–7; Monceaux 1901–23, 5.87–8.

72 *Passio Maximiani et Isaac*, 3.18.

member of the laity, tore down a copy of the imperial edict, was arraigned before the proconsul and was brutally beaten.⁷³ While this was going on, Isaac, another layman, attracted the proconsul's wrath by openly courting martyrdom.⁷⁴ After the scourging and beating of Isaac, which left his torturers exhausted, Maximian and Isaac were both sentenced to exile by the proconsul.⁷⁵ Isaac died in prison before the sentence could be carried out, but not before he had a vision in which he wrestled victoriously with the emperor himself, tearing out his eye.⁷⁶

After Isaac's death, the *uniuersa fraternitas* sought to gain possession of his body, seeking to give it proper burial and holding a vigil in his honour.⁷⁷ However, the proconsul ordered the ship which was taking the exiles to dump the bodies of the dead at sea, taking this action at the suggestion of the *traditores* to deny their commemoration as martyrs.⁷⁸ The bodies were duly weighted and dumped, including that of Maximian, who had apparently died in the meantime.⁷⁹ However, the *traditores'* plans were thwarted by the ocean, which gathered together the bodies of the martyrs into a *congregatio*, and delivered them to their brethren waiting by the shore for burial.⁸⁰

Such is the story of the *passio* in outline. Particularly striking is the way in which the author associates his story with the martyrs of the past. Prior to the imperial edict, we are told, persecution at Carthage was in remission, before the devil stirred up trouble again for the *ecclesia domini*.⁸¹ On one

73 *Passio Maximiani et Isaac*, 5.26: 'Callidae mentis celeritate, non pedum, protinus forum certamen ultro prouocaturus ascendit et funestos apices, tamquam diaboli ibi membra discerperet, manu rapida dissipauit.'

74 *Passio Maximiani et Isaac* 6.37–8: 'Nam tunc illic illustris Isaac de luctamine sui socii non retinens gaudium, inter fraternos populos publica exultatione sancti spiritus ferebatur, qui plenus caelesti constantia liberius proclamabat ad traditores: Venite, satiate uestrae unitatis insaniam.'

75 *Passio Maximiani et Isaac*, 7.52–3.

76 *Passio Maximiani et Isaac*, 8–9.

77 *Passio Maximiani et Isaac*, 12.80.

78 *Passio Maximiani et Isaac* 12.85–6: 'quorum suggestione proconsul tunc coactus populum a carcere iussit expelli, uiuumque Maximianum pariter cum defuncto Isaac marinis fluctibus mergi praecepit, ne quasi permitteret eos dignitate martyrum uenerari.' Note that it is unclear whether Maximian was already dead when he was dumped at sea. As Monceaux suggests, it seems that the author himself was uncertain (1901–23, 5.85).

79 *Passio Maximiani et Isaac* 13.93.

80 *Passio Maximiani et Isaac* 14–6.

81 *Passio Maximiani et Isaac* 3.

level it is clear that the author has in mind a period of peace between two attempts to enforce unity on the African churches. The devil is said to have postponed his persecution, thinking that the entire army of God was already being surrendered to him.⁸² However, by referring to a dormant persecution at Carthage, fanned into flame by the devil, the author also connects the suffering of Maximian and Isaac to the experience of faithful Christians in the persecutions of the past, thereby denying that the conversion of Constantine made any essential difference to the defining Christian experience of persecution.

One way in which the author connects his subjects to the martyrs of the past and acknowledges their changed context is through conflating Maximian and Isaac's opponents into a monolithic 'other'. Throughout the text, responsibility for Maximian and Isaac's death is apportioned to different enemies. It is the devil who provokes the persecution, but it is implemented by the proconsul.⁸³ However, Isaac, in his vision, wrestles against the emperor himself,⁸⁴ while it is at the suggestion of the *traditores* that the proconsul orders the bodies of the martyrs to be dumped at sea.⁸⁵ This conflation of the martyrs' enemies has the effect of synthesising their experience with that of the martyrs of the past, and this is heightened by the intertextual references found throughout the *Passio Maximiani et Isaac*. Many events within the text evoke the stories of other martyrs, thus legitimising Maximian and Isaac by association. Most obvious is the account of Isaac's vision in prison, which clearly evokes that of Perpetua. Whereas Perpetua had wrestled against the devil, in the guise of an Egyptian, Isaac struggled against the emperor.⁸⁶ A vivid picture is thus created of the heroic Christian engaged in an age-old struggle, but against the enemy in a new guise. The story of the ocean giving up the bodies of the martyrs also appears in several other North African martyr stories, particularly those of Salsa and Fabius, and probably owed its inspiration to the hagiography

82 *Passio Maximiani et Isaac*, 3.16: 'Cum repente diabolus, iterum fremens, sopitas furoris flammās in peius accendit, et insana suae grassationis arma commouit, a quibus idcirco reor diutius illum quietum cessasse, quia cunctos exercitus Christi putauerat sibi mancipasse.'

83 *Passio Maximiani et Isaac*, 3. 18.

84 *Passio Maximiani et Isaac* 8.60–1; 10.68: 'sic lumen imperatoris eruisse, sicut eum habebat per diem uincendo caecare.'

85 *Passio Maximiani et Isaac*, 12.84–5.

86 *Passio Perpetuae et Felicitatis*, 10.1–13; *Passio Maximiani et Isaac*, 8.56–61.

of the popular Spanish martyr Vincent.⁸⁷ As we shall see in the case of Marculus, the motif of nature caring for the martyr's body is also a powerful assertion of their legitimacy.⁸⁸

The author is therefore at pains to connect Maximian and Isaac to the martyrs of the heroic past. However, his purpose in writing the *passio* was not simply to commemorate their triumphs but to present them to his audience as a model worthy of emulation. The audience's response to the story is intended to define them as a group by contrasting them with their polemical antithesis. For example, the Christians who sought to support the confessors in prison on the eve of their exile, and were beaten for their trouble, are thereby connected with the martyrs by their shared suffering.⁸⁹ Even after death, the sea reunites the dispersed bodies into a *congregatio*⁹⁰ and brings them back to shore, where they will remain united with their brethren through their cult.⁹¹ For the audience of the *passio* the martyrs offer community and a focus of identity. This is achieved partly through the liturgical commemoration of the martyrs, but most of all by the recipients of the letter emulating the martyrs through their own own martyrdoms. Then their victories will be proclaimed to those who follow, just as the victory of Maximian and Isaac is being proclaimed to them.⁹²

The *Passio Marculi*

In contrast to Maximian and Isaac, the hero of the *Passio Marculi* is known from a number of literary and epigraphic sources in addition to

87 *Passio Salsae* 10; *Passio Fabii vexilliferi* 10; Prud. *Steph.* 5.465–512; Monceaux 1901–23, 5.93. For Vincent's hagiography, see *BHL* 8627–55.

88 *Passio Maximiani et Isaac* 14–5, 17. The motif of animals or the natural elements recognising the sanctity of the martyr is a common one in hagiography, both within and outside Africa. For example, see *Acta Marcianae* 5: 'Ligatur ad stipitem devota Christi virgo et dimmissus est leo ferocissimus, qui cum magno impetu veniens erectas manus in puellae pectus imposuit; sanctum corpus martyris odoratus, eam ultra non contigit'; *Passio Maximae, Donatillae et Secundae* 6; contrast *Passio Perpetuae et Felicitatis* 20–1.

89 *Passio Maximiani et Isaac* 13.90.

90 *Passio Maximiani et Isaac* 15.97: 'Sed adhuc restabat alterius laboris opus, scilicet et conamen ut intervallo infinito discretos martyres in unum celeri congregatione colligeret, ne alienum sacrilegium eius neglegentiae remaneret.'

91 *Passio Maximiani et Isaac* 16.

92 *Passio Maximiani et Isaac* 18.

his extant *passio*. Indeed, the martyrdom of Marculus, along with that of Donatus of Bagaia, was frequently raised by Donatist polemicists in dispute with their Catholic counterparts.⁹³ Marculus' death is usually dated to 29 November 347.⁹⁴

The author of the *Passio Marculi* claims to have written his work shortly after the events it commemorates.⁹⁵ Monceaux is inclined to believe him, dating its composition to the first months of 348, and the general conclusion that it was written shortly after Marculus' death has gained at least general acceptance.⁹⁶ Given the concern shown by Gratus at the Council of Carthage in 348 to regulate the veneration of unauthorised martyrs, which may be aimed at the commemoration of Marculus, this is certainly possible.⁹⁷ At the very least, some account of Marculus' martyrdom was certainly part of Donatist polemic by the time Optatus wrote the third book of his work against Parmenian, before 384.⁹⁸

The *Passio Marculi* begins with a summary of Marculus' life prior to the persecution under Constans. Originally training for a career in law, he rejects his secular learning and joins the 'most holy *schola*' of the church.⁹⁹ The author emphasises the praiseworthy quality of his life, citing as evidence the fact that Marculus was ordained priest and subsequently consecrated as bishop.¹⁰⁰

However, his exemplary episcopate is suddenly interrupted by the storms of persecution. As we have seen, the *Passio Maximiani et Isaac* avoids naming directly any of those responsible for their martyrdom. In the case of Marculus, however, the author apportions blame precisely. He describes Constans' attempt to enforce unity as the *Macariana persecutio*, originating from the 'tyrannical house' of the 'king' Constans.¹⁰¹ Paulus and Macarius are sent to Africa, to wage war against the church and force

93 On the *Passio Marculi* generally see Monceaux 1901–23, 5.69–81; Maier 1987, 275–6.

94 Monceaux 1901–23, 5.74; Maier 1987, 277, n. 15; Grig 2004, 95–102.

95 *Passio Marculi* 1.2: '... ut passionem Marculi gloriosi ... traditorum nuper scelere consummatam ...' Compare with the author of the *Passio Datui, Saturnini presbyteri et aliorum* claiming that his account was found 'in archiuo memoriae' (1).

96 Monceaux 1901–23, 5.75; Maier 1987, 276; Tilley 1997b, 71.

97 Maier 1987, 294–5.

98 Optatus, *De Schism. Donat.* 3.6.

99 *Passio Marculi* 2.6.

100 *Passio Marculi* 2.7–8.

101 *Passio Marculi* 3.9: 'ecce subito de Constantis regis tyrannica domo et de palatii eius arce pollutum Macarianae persecutionis murmur increpuit.'

Christian people into a union with *traditores*.¹⁰² Marculus' execution is one result of this. Macarius has Marculus and his companions stripped, tied to columns and beaten.¹⁰³ Marculus is then taken throughout Numidia and finally brought to the *castellum* at Nova Petra.¹⁰⁴ After four days he is taken by soldiers to the top of a precipice, apparently executed by the sword, and cast from its summit.¹⁰⁵ The point of executing Marculus in this way, we are told, was so that his memory might not be honoured.¹⁰⁶ However, nature confounds the plans of Marculus' persecutors. His body floats softly to earth and remains intact.¹⁰⁷ As day breaks, the faithful Christians searching for his body are led to it by a cloud and lightning,¹⁰⁸ and give it proper burial.¹⁰⁹

As we have seen in the case of the *Passio Maximiani et Isaac*, the author of the *Passio Marculi* is also eager to assert a connection between Marculus and the heroic martyrs of the past. Their *passiones* are described as a great memorial, an incentive for the virtue and praise of the church.¹¹⁰ It is thus right and proper for more recent martyrs to be praised along with the old, a justification which echoes the *Passio Perpetuae et Felicitatis*.¹¹¹ Indeed, the parallel is explicitly drawn between the *Macariana persecutio* and earlier persecutions. Where once the rage of the *gentiles* acted in obedience to the devil, Marculus was martyred by the *traditores* in service

102 *Passio Marculi* 3.10: 'Et duabus bestiis ad Africam missis ... ut populus Christianus ad unitatem cum traditoribus faciendam nudatis militum gladiis et draconum praesentibus signis et tubarum vocibus cogeretur.'

103 *Passio Marculi* 4.14–5.

104 *Passio Marculi* 6.25: 'At uero postquam exquisitum atque truculentum genus mortis invenit, statim eum secum ad castellum Novae Petrae, quod ardui montis praecipitio et nomine et vicinitate coniunctum est, sub artissima militum prosecutione perduxit.'

105 *Passio Marculi* 11.46–12.55.

106 *Passio Marculi* 13.60: '... qui ad hoc tale supplicium cogitaverant, ne umquam in testimonium crudelitatis eorum a populis dei memoria martyris posset honorari'; 13.61.

107 *Passio Marculi* 12.56–9.

108 *Passio Marculi* 14.65–15.75.

109 *Passio Marculi* 15.76: 'Vix denique a cunctis satietate percepta, suprema obsequia ingenti fratrum laetitia celebrata sunt et religiosus sepulturae honor cum triumphis maximis restitutus est.'

110 *Passio Marculi* 1.1.

111 *Passio Marculi* 1.3: 'Iustum enim ac satis dignum est, ut antiquorum testium laudibus recentium quoque martyrum virtus adiuncta glutinetur.' Cf. *Passio Perpetuae et Felicitatis*, 1.1–2; 21.11.

of the Antichrist.¹¹² This association also serves to vindicate Marculus' status as a martyr, a preoccupation which is apparent through his *passio*. The author evokes Pontius' *Vita Cypriani* to liken Marculus' career to that of Cyprian.¹¹³ God grants him a vision in which his status as a martyr is acknowledged,¹¹⁴ Marculus' executioners recognise his holiness and are reluctant to harm him,¹¹⁵ and even the natural world acknowledges the sanctity of Marculus, bringing his body gently to rest and leading the faithful to it through the appearance of a cloud and flashes of lightning.¹¹⁶ The author arrays these witnesses in testimony against the *traditores* and their supporters: Constans, Paulus and Macarius.¹¹⁷

How, then, were martyr stories such as these actually used in North Africa? Augustine's sermons provide the best evidence, although they should never be thought of as normative. However, the basic form of the liturgy over which Augustine presided was shared by North African Christians on both sides of the schism and was closely related to that of Rome.¹¹⁸ The main difference appears to have been in the abolition of the *refrigeria* as part of the Catholic celebration of the martyrs, and that only from 393. In the churches of both Catholics and Donatists the reading of the *passio* of the martyr, when it was available, took its place along with the reading of scripture and the chanting of the psalms in the public, instructional part of the service.¹¹⁹ This would then be followed by a sermon, after which the catechumens were excluded and the Eucharist

112 *Passio Marculi* 1.4: 'sicut enim illos gentilis saevitia diabolo parens destinavit ad regnum, sic et hos traditorum rabies Antichristo serviens misit ad caelum.'

113 *Passio Marculi* 2.6–3.9; Pontius, *V. Cypriani*, 2–3; Grig 2004, 96. Note that Monceaux, who believes Augustine's characterisation of the Donatists as ignorant, thinks that Marculus' background must have been exceptional (Monceaux 1901–23, 5.69).

114 *Passio Marculi* 8.34: 'Videbam – inquit – tria haec mihi munera de aeternis thesauris domini largientis oblata, ex nitidissimo argento poculum factum et coronam auro rutilo refulgentem et sublimissimam palmam, quae plena laetitia antecedentium munerum triumphos expleret.'

115 *Passio Marculi* 10.41, 11.54. Cf. Pontius, *V. Cypriani*, 18.

116 *Passio Marculi* 12.56–9, 14.67–9.

117 *Passio Marculi* 13.63–4: 'ecce consecratis artubus dura saxa et rupes asperae pepercerunt, et quem traditores occidere non timuerunt, montes laedere timuerunt. Exceptis enim ipsis, creatorem suum omnis creatura veneratur ...'

118 Willis 1994, 16–8. For the annual commemoration of the martyrs in the church of Cyprian, see, for example, Cyprian, *Ep.* 12.2; 39.3.

119 Saxer 1980, 201. For an evocation of a typical service presided over by Augustine, see Van der Meer 1961, 388–402.

celebrated. For the baptised, the Eucharistic prayer contained another reminder of the importance of the martyrs, their names being recited along with those of the faithful departed and clergy.¹²⁰ Although the evidence for Donatist liturgical practices is far less abundant, it is clear that their *passiones* were also intended for liturgical use. For example, the *Passio Marculi* refers to its public recitation,¹²¹ while the *Sermo de passione Donati*, which will be discussed below, describes the use of the ‘manifesta persecutionum gesta’ in the annual commemorations of the martyrs they commemorate.¹²²

Both Catholic and Donatist clergy therefore used the *passiones* of the martyrs in similar ways in their liturgies. On the anniversary of a martyr his or her *passio* would be read out, if it were available, after which the preacher would apply the lesson of the martyr’s story to what he saw as his congregation’s context and needs. This provided ample opportunity for Catholics and Donatists to demarcate themselves from their opponents, despite the fact that most martyrs commemorated in this way were common to both. However, an even more clear-cut means of demarcation was the formalisation of which martyrs would be recognised as worthy of liturgical commemoration by the respective churches.

The need of the author of the *Passio Marculi* to assert the legitimacy of Marculus’ martyrdom is mirrored by the Catholic tightening of the definition of martyrdom during the fourth century. In contrast to how Donatists would remember their persecution under Constans, the Catholic bishops who met under Caecilian’s successor Gratus at Carthage in 348/9 praised the emperor for bringing about unity at God’s command.¹²³ Amongst other issues of ecclesiastical discipline, such as the question of rebaptism, Gratus raised the problem of the veneration of inappropriate martyrs. He specifically forbade the memorialisation of *praecipitati*, perhaps with Marculus in mind, those guilty of other sins and, generally, those ineligible

120 Augustine, *Serm.* 273.7; 284.5, Van der Meer 1961, 401. Augustine’s criticism of the Donatists reading the names of inappropriate martyrs at the altar in *C. Ep. Parm.* 3.6.29 implies that this was a practice shared by both Catholics and Donatists.

121 *Passio Marculi* 1.1.

122 *Serm. de pass. Donati* 1: ‘Si manifesta persecutionum gesta non otiose conscripta sint nec inconsulte in honorem martyrum et aedificationem credentium anniversaria sollemnitate leguntur ...’

123 *Gesta Conc. Carth. a. 348/9, praef.*: ‘Gratias deo ... qui imperavit religiosissimo Constanti imperatori ut votum gereret unitatis et mitteret ministros operis sancti, famulos dei Paulum et Macarium.’

for the *nomen martyrum* on account of either *ratio* or *tempus*.¹²⁴ The ascribing of proper martyrdom to a specific time is particularly interesting, reflecting the Catholic sense of history in the post-Constantinian world.

The concrete expression of this was the development of liturgical calendars. Three main liturgical calendars have survived from North African sources: the Calendar of Carthage, the so-called Calendar of Jerome and a calendar from the monastery of St Catherine at Mt Sinai. Each of these are distinctively 'Catholic' in that they show the control of the Catholic clergy over the liturgical year. For example, the Calendar of Carthage commemorates not only the *dies natalium martyrum* but also the *depositiones episcoporum*, all of whom are Catholics and among whom are such defining Catholic figures as Gratus, Aurelius and Augustine.¹²⁵ It is hardly necessary to add that no Donatist bishops or martyrs appear in the Calendar of Carthage and, indeed, no Donatist calendar has survived. Curiously, Marculus found his way into the *Martyrologium Romanum*,¹²⁶ although this appears to reflect the ignorance of compilers as to the polemical origins of his *passio* rather than their use of a Donatist calendar. For example, this is suggested by the reference to his execution *ab Arianis*, rather than *a Macharianis*. Although no Donatist calendars have survived the recording of dates in the Donatist *passiones* make it likely that they existed.

If liturgical calendars offered a clear means by which Catholics and Donatists could differentiate their approved martyrs from their opponents, we might reasonably expect to see something similar reflected in the epigraphy relating to North African martyr cult. However, it is perhaps surprising just how little epigraphic evidence there is for the cult of identifiably Donatist or Catholic martyrs, despite the large number of surviving inscriptions that honour martyrs claimed by both.

124 *Gesta coll. Carth. a. 348/9*, c. 2: '... ut aut insania praecipitatos aut alia ratione peccati discretos, non ratione vel tempore competenti quo martyria celebrantur martyrum nomen appellent ...'

125 *Kal. Carth.*, iii. Non. Mai. (Gratus); xiii. Kal. Augustine, (Aurelius); iii. Kal. Sept. (Augustine).

126 *Mart. Rom.*, vi. Kal. Dec (*Propylaeum ad AASS Decembris*, 546): 'Nicomediae Sancti Marcelli presbyteri, qui Constantii tempore ab Arianis e rupe praecipitatus martyr occubuit.' Despite the confusion between *Nicomediae* and *Numidiae*, *Marcelli* and *Marculi Constantii* and *Constantis* and *Arianis* and *Macharianis*, this appears to be a reference to Marculus. A Marcellus is also commemorated in the *Mart. Hieron.* on v. Kal. Dec. See the commentary of Delehaye 1931, Nov. ii.2, 623, and Delehaye 1935, 87–8.

In the case of the unambiguously Donatist martyrs, Marculus is the only figure known from literary sources whose cult is archaeologically attested. In 1933 a small basilica, decorated with geometric reliefs and inscribed plaster, was discovered at Ksar el Kelb, in what was ancient Numidia.¹²⁷ Three inscriptions were found in the church. The door of the church bore a Constantinian monogram and the inscription 'Domus dei' and 'Aula pacis', while the keystone to an internal arch was inscribed 'Deo laudes h(ic) omnes dicamu(s)',¹²⁸ which in itself was enough to convince most scholars that the church had belonged to a Donatist community.¹²⁹ Of even greater interest, however, was the discovery of a third inscription, 'Memoria domni Marchuli', found in the south collateral of the church and perhaps associated with a reliquary.¹³⁰ There is no doubt, therefore, that the church at Ksar el Kelb was a location at which cult in honour of the Donatist martyr Marculus was practised. *Domnus* is attested elsewhere in North African epigraphy as a term equivalent to *sanctus* or *martyr*¹³¹ and, indeed, this description of Marculus is echoed in the words of the Donatist bishop of Nova Petra at the Council of Carthage in 411.¹³²

The only other inscription which unambiguously refers to a specifically Donatist martyr has been found in a small church at Benian in Mauretania Caesarea.¹³³ The woman it honours, a consecrated virgin named either Robba or Bobba, is otherwise unknown. However, the inscription refers to her brother Honoratus, the Donatist bishop of Aquae Sirenses, who is known from the *gesta* of the Council of Carthage in 411.¹³⁴ This and the fact that the inscription refers to her death at the hands of *traditores* makes her identification as a Donatist martyr certain; the inscription even tells us that she met her death in 434.

127 Cayrel 1934, 114–42; Delehay 1935, 81–9; Y. Duval 1982, no. 75, 158–60.

128 Cayrel 1934, 126–9.

129 See, for example, Delehay 1935, 81.

130 Cayrel 1934, 135; Y. Duval 1982, 159.

131 Delehay 1935, 82; Delehay 1927a, 59–65. For further discussion of the Ksar el Kelb basilica see Miles, this volume, 261–3; Leone, this volume, 333–6.

132 *Gesta coll. Carth.* 1.187: 'Item recitavit: Dativus episcopus Novapetrensis. Cumque accessisset, idem dixit: Mandavi et subscripsi. Et adversarium non habeo, quia illic est domnus Marculus, cuius sanguinem Deus exigit in die iudicii.'

133 Y. Duval 1982, nr. 194: 'Mem(oria) Robbe sacre Dei. Germana Honor[ati] A[quesiren(sis)] ep(i)s(cop)i, cede tradi[tor(um)] vexata, meruit dignitate(m) martiri(i).'

134 *Gesta coll. Carth.* 1.188; Y. Duval 1982, 411; *PCBE*, Honoratus 10; Saxer 1994, iv, 1312.

The sparse archaeological evidence for the memorialisation of victims of Catholic and Donatist violence jars somewhat with the picture of vast slaughter painted by our literary sources.¹³⁵ How, then, are we to explain this discrepancy? It is possible that some of the otherwise unknown martyrs who receive terse mention in North African epigraphy may have been victims of the schism. It is even more likely that much of the evidence that may have existed of Donatist martyrs was destroyed, especially as their churches were taken over after 411. Indeed, an inscription from Mascusa (modern Khenchela) in Numidia may illustrate such a process.¹³⁶ Although its interpretation and even reading is far from certain, this inscription, set up for a martyr named Julianus, appears to have had part of its surface erased. Uniquely amongst North African inscriptions, the roughened surface of the erasure then appears to have had the term *katholicus* added, qualifying the name of the martyr. It is thus tempting to see in the inscription evidence for the *damnatio* and appropriation of the cult of a local martyr by the victors in the Catholic/Donatist dispute.

In contrast to the identities which Optatus, Augustine and other Catholic leaders sought to propagate, the Donatist sense of their own legitimacy owed much to their continuing identity as the persecuted church. Unfortunately, however, evidence for the ways Donatists made use of the legacy of the martyrs is sparse. What Donatist material we do have often owes its survival to the fact that it was quoted in works by Optatus and Augustine, and in the *gesta* of the Council of Carthage of 411. We thus have very little evidence for how the legacy of the martyrs was made relevant to audiences of Donatist 'insiders'. Apart from the few Donatist *passiones* and the epigraphic evidence discussed above, the most important surviving sources are two anonymous sermons: the *Sermo de passione Donati et Advocati* and the *Sermo in natali sanctorum innocentium*. Both express the idea that the relationship between true Christians and earthly power had not fundamentally changed with the conversion of Constantine. In Donatist attacks upon their opponents they were thus able to play out the role prepared for them by more than two centuries of Christian discourse.

A vivid expression of the Donatist discourse of martyrdom is found in the *Sermo in natali sanctorum innocentium*, preached in honour of the children killed by Herod in Matt. 2.16–8. The sermon has been

135 Y. Duval 1982, 487.

136 Y. Duval 1982, nr. 79.

identified persuasively as originating in a Donatist community, although this is not made explicit in the text itself. However, the fact that the preacher is addressing a community experiencing persecution,¹³⁷ and that the perpetrators are ostensibly fellow Christians ‘qui Christi nomen infamant’,¹³⁸ makes its Donatist attribution most likely. However, the date of the sermon is impossible to establish with confidence. Although Tilley believes it to have been written between 347 and 362, it could equally well fit a context in the early fifth century.¹³⁹

For the preacher, enmity to true Christians is inherent to the history of the world. From creation to the present the devil has waged war against *innocentia*.¹⁴⁰ All true Christians suffer persecution: Abel, the Holy Innocents, and the Donatist preacher’s own community.¹⁴¹ The suffering they are experiencing is a sign of their blessedness, through which they are united with the martyrs.¹⁴² With them, they look forward to the final punishment of the persecutors and the victory of the church.¹⁴³

For Donatist polemicists, therefore, their Catholic opponents were portrayed in the role of the archetypal ‘other’, as persecutors.¹⁴⁴ This was the basis of the identity Donatists attributed to the Catholics, describing them as the *Macariana ecclesia, pars Macarii* or *Macariani* after their involvement in Constans’ attempt to enforce ecclesiastical unity.¹⁴⁵ Conversely, Donatists attributed the legitimacy and success of their church

137 *Serm. in natali ss. innocent.* 7.

138 *Serm. in natali ss. innocent.* 11.

139 Tilley 1997b, 86.

140 *Serm. in natali ss. innocent.* 5; Tilley 1997b, 87–8.

141 *Serm. in natali ss. innocent.* 5: ‘Inde iam omnes iusti et electi prophetae per tractus temporum et decursiones aetatum impiis dominantibus oppressi, fugati, necati sunt, ut nemo eorum habeatur immunis, qui non aut sanctum sanguinem aut pias lacrimas fuderit vel graves gemitus aut indignos dolores ediderit.’ For Abel as the first martyr, see also Augustine, *C. Litt. Petil.* 2.14.31; 2.92.202; *Lib. Gen.* 21.

142 *Serm. in natali ss. innocent.* 6: ‘Beati etiam nos sumus, qui pro ecclesiae veritate inimicorum minis et potestatum terriculis fatigamur.’

143 *Serm. in natali ss. innocent.* 6: ‘Minatur inimicus et inridet ecclesia; ille persequitur et haec gloriatur; ille percutitur et haec coronatur.’

144 See also the words of Petilian in Augustine, *C. Litt. Petil.* 2.23.51: ‘Erubescite erubescite, persecutores: similes Christo martyres facitis quos post aquam veri baptismatis sanguis baptista perfundit.’ See also Optatus, *De Schism. Donat.* 2.14 (and Book 3 generally); Augustine, *C. Cresc.* 3.47.51; 4.15.17; *C. Gaud.* 1.28.32.

145 Augustine, *Ep.* 87.10; *C. Litt. Petil.* 2.92.208 (*Macariani*); Augustine, *C. Litt. Petil.* 2.39.92, 94; 2.46.108 (*pars Macarii*); Augustine, *Ep.* 49.3 (*Macariana ecclesia*). Monceaux 1901–23, iv, 37–8; Lamirande, *BA*, xxxii. 719; Frend 1952, 185.

to the fact of its persecution.¹⁴⁶ In particular, the accounts of Marculus and Donatus of Bagaia were commonly invoked by Donatist polemicists to prove that they were martyrs and that they therefore represented the true church.¹⁴⁷

The clearest and most interesting document to illuminate the self-definition of the Donatists as the inheritors of the martyrs is the *Sermo de passione Donati et Aduocati*.¹⁴⁸ Given that the *sermo* derived from a liturgical context, it is probable that it was preceded by a reading of the *Passio* of the martyrs with which it is concerned. Although no such text has survived, its existence is suggested by the paucity of actual information about the martyrs in the *sermo*. Indeed, the martyrs who are being commemorated are not even named, despite the title appended to the text referring to Donatus and Advocatus.¹⁴⁹

Unfortunately, it is by no means clear when the sermon was delivered. Monceaux believes the preacher to have been an eyewitness of the events he describes,¹⁵⁰ and suggested that the sermon was composed for one of the first anniversaries of the martyrs. He therefore dates it to around 320,¹⁵¹ an opinion followed by Frend and Tilley.¹⁵² However, such consensus is unwarranted. As Maier points out, the immediacy of the preacher's language, taken by Monceaux to indicate that he was an eyewitness, may simply be the rhetorical flourishes of a man attempting to evoke emotion in his audience.¹⁵³ More importantly, as noted by Maier, Monceaux appears to have overlooked the implications of the chronological information with which the *sermo* begins. The events which the preacher will describe are dated by the phrase 'Caeciliano Eudinepiso *tunc* instante'.¹⁵⁴ It is likely, therefore, that Caecilian was not a bishop at the time the sermon was delivered, but that it postdated his death, which occurred at some time

146 Augustine, *C. Litt. Petil.*, 2.89.196: 'Christianitas enim mortibus proficit.'

147 For example, see Optatus, *De Schism. Donat.* 3.6; Augustine, *C. Litt. Petil.* 2.14.32; 2.20.46; *C. Cresc.* 3.49.54.

148 *BHL* 2303b; Maier 1987, nr. 28; Tilley 1996, 51–60; Monceaux 1901–23, 5.60–9; Saxer 1980, 65–6; Barnes 1981, 60.

149 Monceaux 1901–23, 5.61.

150 Monceaux 1901–23, 5.65.

151 Monceaux 1901–23, 5.61–2.

152 Frend 1952, 321; Tilley 1996, 51; 1997b, 61.

153 Maier 1987, 200.

154 *Serm de pass. Donati*, 2.

between 325 and 342/3.¹⁵⁵ Grasmück also argues for a later date on the basis of verbal similarities between the *Sermo* and Optatus.¹⁵⁶ The question of the sermon's date must therefore be left open.

Owing to the allusive nature of the *sermo*, the events to which it relates are difficult to reconstruct. The preacher's main subject is a massacre which allegedly occurred in a basilica at Carthage during the episcopacy of Caecilian,¹⁵⁷ and, indeed, it is clear that the anniversary of these events was the occasion for his sermon.¹⁵⁸ This massacre was the result of attempts to impose ecclesiastical unity in the church at Carthage, and more specifically appears to have resulted from attempts by the imperial administration to seize the basilica. The Donatist preacher refers to the commemoration of the 'Caecilianic persecution' in the inscriptions within the basilica honouring the dead. However, there is no textual reason to think, as Tilley does, that the sermon was necessarily given in the same basilica.¹⁵⁹

In addition to the massacre in the basilica at Carthage, the *sermo* mentions two other events, the details of which are obscure. An unnamed bishop of Sicilibba was executed by the hand of the tribune Marcellinus.¹⁶⁰ Later, he refers to an again unnamed 'memoratus episcopus' arriving at Carthage from Avioccala, who was killed there by Catholics, and who may or may not have been the same bishop of Sicilibba.¹⁶¹ At any rate, the text certainly refers to the deaths of members of a Donatist congregation

155 Maier 1987, 200.

156 Grasmück 1964, 85 n. 403. Grasmück sees verbal parallels between *Serm. de pass. Donati* 2, 3, 6, 8 and Optatus, *De Schism. Donat.* 3.3.4, and thus argues that the *Sermo* postdated Optatus' work. However, he does not address the possibility that Optatus may have been influenced by the style of the *Sermo*, which he may have encountered as a polemical tract.

157 *Serm. de pass. Donati* 6–8.

158 *Serm. de pass. Donati* 9: 'Nam et anniversalis dies religiosa devotione non immerito celebratur.'

159 *Serm. de pass. Donati* 8: '... basilica, inquam intra cuius parietes et occisa et sepulta sunt corpora numerosa et illic ex titulationibus nominum persecutionis etiam caecilianensis usque in finem memoria prorogatur ne alios quandoque postmodum episcopatus nomine gestae rei expertes deceperit parricida.' Compare with Tilley's translation (1996, 57): 'It is this very basilica, I say, between whose walls so many bodies were cut down and buried.'

160 *Serm. de pass. Donati* 7: 'Quamquam honoratum sanctissimi Sicilibensis episcopi iugulum tribuni gladius etsi non penetravit, tamen compunxit ...'

161 *Serm. de pass. Donati* 12: 'At vero memoratus episcopus ex Abvocatensi oppido Carthaginem hospes adveniens tanta catholicae istius humanitate hospitalitatis exceptus est ...'

at Carthage and to the execution of at least one Donatist bishop, events which were presumably described in full in the reading of a *passio* prior to the sermon.

The main purpose of the *sermo* is, again, the demarcation of lines between Catholic and Donatist communities, characterised as an antithesis between the *nomen Christi* and the *ministri Antichristi*.¹⁶² The preacher sees this antithesis as requiring careful clarification, the *fideles* in his congregation needing to be reminded and the *rudes* instructed in the identification of their enemies.¹⁶³ It is clear, therefore, that the demarcation between 'us' and 'them' of which he speaks is one which he must assert and explain, not one which was necessarily already apparent to his audience. Indeed, he says as much when he asserts the need for instruction when one's enemies are like wolves in sheep's clothing, or the members of one's own household.¹⁶⁴

This antithesis is created by the portrayal of such enemies as a conflated 'other'. Naturally enough, the main opponent the preacher identifies is the devil. For example, although naming those responsible for the massacre, he sets the scene from the outset by crediting the devil with being their advisor.¹⁶⁵ The preacher maintains Cyprian's emphasis upon primordial and constant conflict with the devil in the arena of persecution as the lot of true Christians,¹⁶⁶ thereby undercutting the Catholic assertion that the nature of the times had changed after Constantine. In the *tempora pacis*, the devil realised that he could not overcome the Christians by direct persecution and turned instead to fraud and enticements.¹⁶⁷ The preacher responded to the Constantinian patronage of the church by

162 *Serm. de pass. Donati* 1: 'Quoniam quidem, ut facile est, incautos appellatione nominis Christi a fallacibus decipi, ita necesse est fugere hoc nomen ministros Antichristi.' I take 'hoc nomen' to be the subject of the final indirect statement, *contra* Tilley's translation (1996, 53). It is thus the *nomen Christi* which must flee the *ministri Antichristi*.

163 *Serm. de pass. Donati* 1: '... fideles commemorando corroborantur et rudes ... inimicos detegendo condemnant.'

164 *Serm. de pass. Donati* 1: 'Magis enim necessaria instructio illic est ubi professsa hostilitas non est, quia hostilis societas ad decipiendum facilis et proxima est: *Et inimici*, inquit, *hominis domestici eius*' (Matt. 10.36).

165 *Serm. de pass. Donati* 2: '... diabolo tamen omnium istorum consiliatore exsistente.'

166 Cyprian, *Ad Fort., praef* 2.

167 *Serm. de pass. Donati* 2: '... eos quos aperta persecutione superare non potuit callida fraude circumvenire molitus est ut eo facilius deceptio proderet quo deceptionis auctor latuisset.'

portraying it as a trap of the devil, baited with royal friendship and worldly benefits.¹⁶⁸

The importance of discourses of martyrdom in constructing Donatist identity raises the question of their alleged practice of suicide as a form of self-martyrdom. From at least the time of Optatus the accusation that Donatists practised voluntary martyrdom was a commonplace of Catholic polemic. Optatus associates it with the *circumcellions*, observing that Donatus of Bagaia gained his support from the same *genus* who brought death upon themselves either by inciting the violence of others or by casting themselves off cliffs.¹⁶⁹

Augustine makes the same accusations, probably inspired by Optatus, as ripostes to Donatist claims that they were the victims of persecution. For example, against Parmenian's use of Isaiah 59.1–8, Augustine accuses the Donatist *circumcellions* of violence both against others and themselves.¹⁷⁰ Perhaps Augustine's most developed attack on Donatist self-martyrdom is found in his response to the Donatist bishop Gaudentius in 420. Faced with Gaudentius' threat to burn down his basilica over the heads of his community rather than hand it over to the imperial authorities, Augustine interprets his behaviour in the light of the well-established polemic against Donatist suicide. Thus he claims that Gaudentius' threats are true to form: Donatists had always practised suicide under the guise of martyrdom by casting themselves from cliffs, into water, into fire or through disrupting pagan festivals.¹⁷¹ In particular, Gaudentius had invoked the example of the Maccabean priest and martyr Razias as an *exemplum* of a willingness to die rather than compromise with evil.¹⁷² Augustine will have none of this, claiming that the willingness of Donatists to face death was a result not of persecution but of their fascination with self-martyrdom.

168 *Serm. de pass. Donati* 2: '... teneat quos falsa appellatione ludificat, non solum oblectans inani gloria miseros, sed et regali amicitia muneribusque terrenis circumscribens avaros.'

169 Optatus, *De Schism. Donat.* 3.4.

170 Augustine, *C. Parm.* 2.3.6: '... tanta feruet ebrietas, ut inde insaniam cotidianam non solum alios insectandi; sed etiam se ipsos praecipitandi concipiant?'

171 Augustine, *C. Gaud.* 1.22.25; 1.28.32: 'Eorum est enim hominum genus, cui hoc malum persuadere potuistis, qui solebant haec et antea facere, maxime cum idololatriae licentia usque quaque ferueret, quando isti paganorum armis festa sua frequentantium irruebant.' See also Augustine, *Ep.* 185.3.12; *De Haeres.* 69.4; Lamirande, *BA* xxxii. 747.

172 Augustine, *C. Gaud.* 1.28.32; Tilley 1997b, 167.

Above all, Augustine uses the suggestion of Donatist suicide to deprive their martyr cult of legitimacy. For example, the *circumcellions* are characterised as honouring the bodies of suicides by their drunken festivities.¹⁷³ More specifically, he casts doubt upon whether Marculus and Donatus of Bagaia were killed by Catholics or died at their own hands. Did Marculus leap from a precipice, or was he cast down? Did Donatus of Bagaia throw himself down a well, or was he pushed? Although he refrains from expressing a definite opinion, Augustine insinuates that it is more credible that these *magistri circumcellionum* killed themselves according to their practices than that they were executed in a manner contrary to normal Roman punishments.¹⁷⁴ In this, Augustine follows the lead of the Council of Carthage of 348/9, which disqualified *praecipitati* from being honoured as martyrs.¹⁷⁵

Catholic polemic therefore associates various expressions of voluntary martyrdom with the Donatists, seeing it as a distinctive expression of their identity. This has been generally accepted by modern scholars, who then use 'Donatist' self-martyrdom as evidence for their origins. For example, Frend sees voluntary martyrdom as evidence for a nascent 'Donatist' identity traceable to 'the latent religious ideas of the African native'.¹⁷⁶ This acceptance of the antitheses of polemic is also used as an interpretative key to other evidence. As we have seen, the *Passio Maximae, Donatillae et Secundae* has been thought to reflect Donatist influence because Secunda 'leaps' from her window to join Maxima and Donatilla in martyrdom.¹⁷⁷

173 Augustine, *C. Litt. Petil.* 1.24.26: '... omitto furorem circumcellionum et praecipitatorum ultro cadaveram cultus sacrilegos et profanos, bacchationes ebrietatum et sub uno Optato Gildoniano decennalem totius Africae gemitum ...'

174 Augustine, *C. Litt. Petil.* 2.20.46: '... incertum est utrum se ipsi praecipitaverint, sicut vestra doctrina non cessat cotidianis exemplis, an vero alicuius potestatis iussu praecipitati sint.' See also Augustine, *Ep.* 88.8; *Tract in Ioh.* 11.15.1–2; *C. Cresc.* 3.49.54; Monceaux 1901–23, 5.71–2. Note that the extant *Passio Marculi* seems to refer to Marculus' body being thrown from a cliff *after* his execution, in order to deny it to his followers (*Passio Marculi* 12). It is likely that Augustine is deliberately misrepresenting the story for polemical effect.

175 Maier 1987, 294–5.

176 Frend 1952, 175.

177 *Passio Maximae, Donatillae et Secundae* 4: 'Cumque eas proficisci videret per maenianum domus suae nimis excelsum respiciens, exinde se praecipitavit nullum habens ante oculos intuitum divitiarum parentum: omnes utique mundi huius, ut dictum est, squalores contempsit, divitias despexit, unum concupivit quem in aeternum invenire meruit.' Maier 1987, 100, n. 43.

Similarly, a group of inscriptions discovered near Djebel Nif-en-Nser and Djebel Anouda in Algeria has frequently been interpreted as the memorials of Donatist *praecipitati*.¹⁷⁸ However, this is sheer conjecture, their association with voluntary martyrdom being made largely on the basis that they were found near the bottom of cliffs.

The identification of self-martyrdom as a distinctively Donatist practice requires careful scrutiny. To begin with, we should note the paucity of evidence from Donatist authors themselves. Rather, voluntary martyrdom is imputed to the Donatists by Catholic polemicists. This is most apparent in the second book of Augustine's response to Petilian, where criticism of the *praecipitati* is used as a general-purpose rhetorical response.¹⁷⁹ The Donatist bishop himself makes no reference to self-martyrdom, and Augustine even allows that some practices of the Donatists, amongst which he includes suicide, are distasteful to Donatist leaders themselves.¹⁸⁰ To this we may also add the evidence of Tyconius, who criticises self-martyrdom in terms which could have sprung from the pen of Augustine.¹⁸¹ Certainly, Tyconius should never be portrayed as expressing a mainstream 'Donatist' position even less than Augustine should be seen as typically 'Catholic'. However, the fact that there is some evidence of Donatist clergy opposing the practices Augustine seeks to associate with them should make us wary of the conclusions he wishes us to reach.

In fact, the only evidence of Donatist authors actually accepting an attitude towards self-martyrdom similar to that which Augustine ascribes to them is Gaudentius' evocation of Razias as an exemplar.¹⁸² Even here, however, Gaudentius uses the model of Razias as an example of heroic resistance to oppression in response to the specific danger of the seizure of his basilica. At no point does he acknowledge the kind of attitude towards suicide which Augustine attempts to make synonymous with his Donatist

178 Bérthier 1942, 215–9.

179 Augustine, *C. Litt. Petil.* 2.49.114; 72.160; 88.193; 90.197.

180 Augustine, *C. Litt. Petil.* 1.24.26: '... omitto ista, quia sunt in vobis quidam qui haec sibi displicere ac semper displicuisse proclament.' It is hardly necessary to add that Augustine says he will pass over such things in order to draw attention to them.

181 Hahn 1900, 68, n. 1: 'Alius est superstitiosus. Superstitio dicta est, eo quod sit superfluum aut super instituta religionis observatio. Et isti non vivunt aequaliter ut ceteri fratres, sed quasi amore martyrum semetipsos perimunt, ut violenter de hac vita discedentes et martyres nominetur.'; Lamirande, *BA* xxxii. 748.

182 Lamirande, *BA* xxxii. 747–8.

opponents.¹⁸³ Even within Augustine's own Catholic communion in North Africa, the problem of voluntary martyrdom was raised by the potential for violence between Christians and pagans.¹⁸⁴ Augustine attacked the *circumcellions* for disrupting pagan festivals with the intention of achieving martyrdom rather than in an attempt to destroy idols.¹⁸⁵ He denies them the title of martyrs because they sought only to be killed, not to destroy idols with the sanction of proper authority, an attitude to iconoclasm which also found conciliar expression in Spain.¹⁸⁶ And yet Christians killed in similar circumstances could be represented as legitimate 'Catholic' martyrs. For example, the *Passio Salsae* glorifies the death of a Christian woman after her disruption of a pagan festival and vandalism of a cult statue.¹⁸⁷ The narrative does appear to have been shaped to avoid the appearance that she was courting suicide. Although seeking to destroy the statue, Salsa attempts to do so without being detected, but is betrayed by the sound of it falling into the sea.¹⁸⁸ Nevertheless, she acts voluntarily and on her own authority.

What the case of Salsa illustrates is that the actions of 'voluntary martyrs' were able to be represented in very different ways in order to present them as models to be emulated or condemned. Augustine denied that the *circumcellions* who died at the hands of pagans were legitimate martyrs, but did so through impugning their intentions, which he clearly could not have known. Conversely, Salsa is defended by her hagiographer from the charge of seeking her death by describing her intention to avoid discovery. The malleability of the ways in which the memory of the

183 Augustine, *C. Gaud.* 1.28.32–29.33.

184 For example, see Augustine's letter (*Ep.* 50) to the *curia* of Sufetana in 399, protesting the death of 60 Christians as a result of their destruction of a cult statue. There is nothing to suggest that the victims were Donatists. Van der Meer 1961, 491–2. See also Augustine's response to the suicide of Christian women raped during the sack of Rome in 410, in Augustine, *De Civ. Dei* 1.26; Murray 2000, 110–7.

185 Augustine, *Ep.* 185.3.12: 'Maxime, quando adhuc cultus fuerat idolorum, ad paganorum celeberrimas sollemnitates ingentia turbarum agmina veniebant, non ut idola frangerent, sed ut interficerentur a cultoribus idolorum.'

186 See *Concilium Eliberitanum*, c. 6: 'Si quis idola fregerit et ibidem fuerit occisus, quatenus in Euangelio scriptum non est neque invenietur sub apostolis unquam factum, placuit in numero eum non recipi martyrum.' The date of the council is uncertain. Hefele (1907, i.1.212) suggests a date c. 300, although Lane Fox 1986, 664–5 argues for a date after 312. See Drake 2000, 223–5.

187 *BHL* 7467. *Passio Salsae* 6–9.

188 *Passio Salsae* 7–8.

martyrs could be represented enabled them to reflect different attitudes towards martyrdom.

The different ways in which Catholic and Donatist leaders related to the legacy of the martyrs was thus a result of their different relationships with imperial power. Donatist polemicists, as outsiders from the imperial system, asserted a model of identity in which their communities were the true inheritors of the martyrs. The proof of this lay in their continuing persecution at the hands of a sociologically identifiable foe, making their connection to the legacy of the martyrs a simpler task than that faced by their Catholic rivals. Above all, the martyrs were used by polemicists on both sides of the schism to define the antithetical identities they considered their communities should hold, antitheses whose relationships to the real world were often more imagined and asserted than experienced.

THE DONATIST SCHISM AND THEOLOGY

Mark Edwards

For much of the twentieth century it was possible to write a bulky history of the development of doctrine in the early church without making any allusion to the Donatists. In part this is a paradoxical consequence of the oecumenical movement which has inspired much modern study of the Fathers: it is easier for Protestants and Catholics to come to a common mind on the interpretation of a doctrinal formula than on the structure and governance of the church itself. More recently, it has come to be widely held that neither Christendom nor the academy can afford to neglect the practical concomitants of dogmatic and philosophical speculation in the church of the Roman era. The result has been a healthy efflorescence of books on liturgy and the regulation of Christian life; so far as I am aware, however, we still lack an English monograph on Optatus of Milevis, who in his seven books *On the Schism of the Donatists* produced the first surviving treatise on ecclesiology, or the doctrine of the church. Nor have scholars lately been at pains to reconstruct the lost book by Parmenianus, the Donatist bishop of Carthage, to which the work of Optatus is a (less than satisfactory) rejoinder. Even the lucubrations of Augustine against the Donatists, so prized by Roman Catholic controversialists in a more polemical era,¹ have not been thought to merit the scholarly reconsideration that has repeatedly been extended to his juvenile Platonism, his account of his conversion, his religious epistemology, his writings on the Trinity and his putative invention of the will.

Maureen Tilly's *The Bible in Christian North Africa* (1996) has reminded the English-speaking world that the quarrel between the Catholics and the Donatists of Africa was as much a theological as a political one; it might have been a longer book, but one fears that it was already too long for many historians of late antiquity, who continue to be more interested in the reconstruction of the historical narrative, the traces of the schism in imperial legislation, the conduct of the ecclesiastical councils to which it gave rise and the detritus that has been left for the archaeologist. One has

1 Edwards 2013.

no right to complain of these partialities, for even the works of Optatus and Augustine offer more play to the customary tools of the historian than to those of the systematic theologian. Nevertheless, since the arguments were sometimes new and not wholly nugatory, and since from time to time they help to illuminate the motives of the chief actors, it may be useful to offer here some remarks on the importance of this African feud as a forcing-ground for Catholic meditations on the nature of the church and the operation of the sacraments. I shall end with some observations on the role of Augustine's writings against the Donatists in the evolution of his thought on the causes of sin and the freedom of the will – two issues that to this day are seldom debated without some reference to him, even when the disputants are not members of his or any other church.

The Breadth of the Church

The first charge of Optatus against the Donatists was that their actions had destroyed the peace of the church. A modern reader might conclude too hastily that the dispute was not theological for Optatus, but this is to draw a line that neither he nor his contemporaries would have drawn between theology and what we now call the politics of the church. God in this age was never an abstraction or the subject of a metaphysical thesis: in all Christian discourse – dogmatic, exegetic, apologetic or controversial – he is God revealed, redeeming and revered. Thus he is known only in the church that preaches his word, sets forth the instruments of salvation and gathers those who have been saved into the one communion of worship. It is inconceivable that there should be more than one such communion, unless there can be more than one God in the scriptures, more than one Christ appointed to save us or more than one Spirit to knit the diverse members into the body of Christ on earth. Peace is no human protocol but the gift bequeathed by Christ to his apostles² and, through them (it is implied), to every bishop who follows them in due succession. If there are two pretenders to the name 'church', our judgement must go in favour of the one that is truly catholic: that is to say, the one that encompasses the whole body of the faithful and not merely a recalcitrant portion of it. For Optatus under Gratian, as for Eusebius under Constantine, the text of catholicity is therefore a geographical extension. It has been maintained

2 Optatus, *De Schism. Donat.* 1.1, citing John 14.27 and 20.21–3.

that when an early text speaks of 'the catholic church that is throughout the world' this geographical sense would render the words 'throughout the world' redundant;³ this objection, however, ignores that fact that there was a time, to which the *Church History* of Eusebius bears witness, when the church at its full geographical extent was not coterminous with the known world.

Optatus argues as Cyprian, the illustrious predecessor of Caecilian, might have argued, when he urges that Caecilian is acknowledged as bishop of Carthage in every province of the Empire,⁴ whereas Donatus is acknowledged only by half the African populace and a self-appointed garrison near Rome, whose bishop speaks only for himself. He departs from African precedent, however, and perhaps from all previous usage outside Italy, when he treats communion with the true bishop of Rome as a further test of catholicity. Who, he asks, were the predecessors of Macrobius? No-one replies, whereas everyone knows that an uninterrupted lineage runs from Peter to Siricius, the current incumbent of the see which is the first of the five divine gifts to the church.⁵ But for this last proviso we might have supposed that the purpose of the catalogue was simply to show that Siricius, not the schismatic Macrobius,⁶ had a better claim to the see which the Donatists happened to have occupied, and that, had they presumed to challenge another bishop, another genealogy would have been cited against them. By styling it the first of the gifts, however, Optatus accords to the Roman see the hegemonic status that had been confirmed by the western council of Sardica in 343 at the instance of Bishop Julius I.⁷ He does not observe that the eastern council of Sardica, in the same year, had addressed Donatus as the bishop of Carthage;⁸ he does not collate his list of Roman bishops with the Hippolytan and Liberian catalogues, both of which

3 Zisioulas 1985, 144n, citing the *Martyrdom of Polycarp*, proem etc. Cf Optatus, *De Schism. Donat.* 2.2A different understanding 'wholly present in every place where it exists', appears to have been favoured by the Novatianists of this era: see Pacian of Barcelona, *Epp.* 1.4 and 2.2. This is the logical usage, according to which the term denoting the genus is applied 'as a whole' to the species.

4 Optatus, *De Schism. Donat.* 2.6 asks 'who has heard of you in all the provinces of your birth?', implying perhaps that the ranks of the Donatists had been swollen by malcontents from outside Africa.

5 *De Schism. Donat.* 2.2–3.

6 *De Schism. Donat.* 2.4.

7 See further Eno 1973; Eno 1993 and 'Lists of Bishops', with Edwards 1997, xxv–xxvi.

8 Augustine, *C. Cresc.* 3.34.38.

vary from his in some particulars, as they vary from one another.⁹ Nor has he followed the first of all such catalogues, that of Irenaeus, which differs from his in content and in purpose, as its function is only to demonstrate that a see in which the heirs of the apostles teach ‘the faithful who come from everywhere’ can be trusted as a barometer of Christian orthodoxy.¹⁰

All these texts agree that from the first times to their own there had been a single president of the Roman see, each taking the place of the last according to some approved rule of succession. This fact, so universally admitted in antiquity, is almost as universally denied in modern scholarship. It is argued that Ignatius, as a sponsor of the monarchical episcopate in Asia, would have spoken of a bishop in Rome had he known of such a person; it is said that the Clement whom legend makes a bishop of Rome is revealed by the *Shepherd* of Hermas to have been no more than a general amanuensis;¹¹ Hippolytus’ defiance of the autocratic Callistus in the first quarter of the third century is explained as the rear-guard action of a prelate who favoured an older, more synodical mode of governance;¹² the discord in the pontifical lists, increasingly severe as we approach the time of Peter, gives confidence to those who opine that the earliest names were added by conjecture once the original constitution of this church had been forgotten. While they have satisfied many, however, all these arguments seem to me highly soluble to a dose of lateral thinking. Ignatius has no knowledge of the Roman church and, since he says nothing of its institutions, nothing can be inferred from his silence unless we infer too much. We cannot be sure that the Clement to whom Hermas alludes is the putative bishop, nor that it was impossible in his era for the same man to exercise both the episcopal and the secretarial office, either consecutively or in conjunction. Hippolytus taxed Callistus with repeatedly abusing his prerogative, but he never denied that there was such a person as the bishop of Rome, or that Callistus, for all his trespasses, was that person.¹³ The discrepancies in the pontifical lists remain irreconcilable, but so do those in the lists of Spartan kings which are employed by modern scholars in their (differing) chronographies of the archaic period in Greek history. Students of the Pharaonic era have been obliged to postulate co-regencies, interregna

9 See Turner 1917.

10 See Irenaeus, *Adversus Haereses* 3.3.2, with Nautin 1957.

11 Lampe 2003, 398, citing *Shepherd of Hermas*, *Visio* 2.4.2.

12 Brent 1995.

13 Döllinger 1876, still merits consultation.

and simple confusion in our sources to account for the imperfections of the chronological record; none has gone so far as to deny that monarchical government was the norm in Egypt for over three millennia. If we presume that monarchical episcopacy was the norm in Rome – as Irenaeus does in his letter to Victor, two pontificates before that of Callistus¹⁴ – we may also presume that the linear sequence will have been disturbed now and then by contested elections, sharing or rotation of authority and early demission from office.

We can do more than imagine such anomalies. The letter in which Constantine convened an Italian synod to judge the appeal of the Donatists in 313 was jointly addressed to Miltiades of Rome and a certain Marcus.¹⁵ Since this was the name of the man who held the Roman bishopric after Silvester, the immediate successor to Miltiades, we may reasonably surmise that he was acting in a role in 313 that anticipated his future office, perhaps because Miltiades had been weakened by the infirmities that were soon to end his tenure. We are free to broach other hypotheses, any of which would be more plausible than the inference that Rome was not yet subject to a monarchical episcopate. The question prompted by this correspondence is not whether Rome had a single bishop but whether the holding of a synod under his auspices signifies that he now wielded a recognised primacy, notwithstanding Cyprian's boast that the Africans knew no bishop of bishops.¹⁶ An answer would require us to ascertain whether it was Constantine or the litigants who appointed Rome as an arbiter in the quarrel. If it was Constantine, he may have been following the precedent of Aurelian, who,¹⁷ after deposing Paul of Antioch around 270, decreed that his successor should be nominated by the bishops of Italy. If, on the other hand, the choice was made by agreement between the parties of Caecilian and Donatus, there is nothing in evidence here but the Roman custom, which permits no appeal from the verdict of a mutually acceptable referee. The Montanists, at the end of the second century, may have been the first appellants to return from this tribunal with a grievance. Their apologist Tertullian, for whom the new prophecy was not a schism but a salutary

14 Eusebius of Caesarea, *Hist. Eccles.* 5.25.

15 Eusebius, *Hist. Eccles.* 10.5.

16 Preface to the seventh Council of Carthage, quoted by Benson 1897, 195. Cyprian's rider, 'each of us awaits the judgment of God' is echoed by Constantine at Optatus, *De Schism. Donat.* 1.26 and appendix 5.

17 Eusebius, *Hist. Eccles.* 6.30; Pietri 1976, 160–7.

ferment within the church, laments that, since Bishop Zephyrinus of Rome gave judgement against it, it has acquired the invidious status of a sect.¹⁸

Tertullian's fulminations against a nameless bishop of bishops, an unworthy Pontifex Maximus – surely unmasked by this second title as the bishop of Rome, not Carthage – were echoed by the Donatists when they appealed against the *facinus*, or atrocity, that Miltiades had perpetrated by his acquittal of Felix of Abthugni.¹⁹ More subtle (indeed a rare masterpiece of irony in this humourless age) was the letter that the bishops who met to judge the case again at Arles in 314 addressed to Silvester after he had pleaded that his duties to the 'monuments of the apostles' in Rome prevented him from adding his weight to the Council.²⁰ For this pontiff the affair was already settled: 'The formal reply was given, the case is done', as Augustine later wrote,²¹ though he was acknowledging Rome's position as arbiter on this occasion, not her claim to universal sovereignty. In the mid-third century Stephen of Rome had shaken the keys of Peter in the hope of silencing the eloquent Cyprian of Carthage, who denied the efficacy of any baptism outside the Catholic fold even when administered in due form.²² To the church at large 'Pope' Cyprian was a greater figure than Stephen, but in taking him as a thirteenth apostle the Donatists forgot that when he wrote 'there is no salvation outside the church' he was in communion with Rome. They also disdained to notice that it was Stephen's view that was ratified at Nicaea in 325,²³ and that the taint which deprived the font of its holiness in Cyprian's eyes was not impurity but schism, the creation of an independent polity which was only for the pure. Some, as we shall see below, were such poor disciples of the great Carthaginian that they tried to appease the Catholics with the argument that schism is not so culpable a sin as heresy.²⁴

Those who offered this defence were confessing that there was a case for them to answer. Something must now be said about the cogency

18 Tertullian, *Adversus Praxean* 1. On his churchmanship see Rankin 1995.

19 Optatus, *De Schism. Donat.* 1.22 on which see Barnes 1975 and Edwards 1997, 22–3.

20 Optatus, *De Schism. Donat.* appendix 4.

21 Augustine, *Serm.* 131,10, often paraphrased as 'Rome has spoken, the case is done'.

22 As we infer from the letter of Firmilian of Caesarea, no. 74 in the Cyprianic corpus.

23 So one infers from the juxtaposition of canon 8 on the Novatianists with canon 19 on the followers of Paul of Samosata: Jonkers 1954, 42, 46. The latter were rebaptised because they did not acknowledge the Trinity.

24 Augustine, *C. Cresc.* 2.4ff.

and significance of this Catholic charge of schism, which was drafted in response to the accusation of apostasy and might not have been necessary had the Catholics been able to secure an undisputed acquittal on the question of fact.

The Unity of the Church

Whatever tariffs the Donatists applied to schism and heresy, they maintained with one voice that Felix of Abthungi, who took part in the consecration of Caecilian, had committed a greater enormity when he handed over copies of the scriptures to be burnt in the Great Persecution. Optatus has almost too many proofs to the contrary – that the law is not the instrument of salvation, that texts may be destroyed by a variety of accidents, that the sins of the fathers ought not to be visited on the sons, and that if they were it would go harder with the Donatists than with the Catholics. He seals his case with the argument that the scriptures offer an unassailable precedent for the toleration of apostasy. Peter, the rock on whom the church was founded, was also the first disciple after Judas to play the renegade, aggravating cowardice by perjury when he disowned the master to whom he had sworn unwavering fidelity on the eve of his arrest. Nevertheless, he continues, Christ not only brooked his presence before his death but subsequently confirmed him as the captain of the elect.²⁵ Thus it becomes apparent that the appeal to the see of Peter has more than one rhetorical purpose: it implies that those who secede from Rome not only break communion with their brethren but have spurned the example of Christ. If anyone replied that there is biblical warrant for likening apostasy to the sin of Judas rather than to that of Peter, Optatus had nothing to say to him; some 30 years later Augustine urged, with the hardihood of genius, that even Judas was not lost to the apostolic brotherhood until he was removed by the hand of God.²⁶

The suffrage of Rome is not the only argument that can be advanced on behalf of those who trace their line to Caecilian. The chair of Peter is only the first of five gifts which distinguish the one true church not only in Africa but in all the numerous provinces where no-one holds communion with the Donatists. The second is the angel, a term derived

25 *De Schism. Donat.* 7.3.

26 *C. Cresc.* 2.24.

from the Revelation of John which appears to denote the occupant of this chair, although it seems that he is also prefigured in the Gospel of John by the angel who intermittently stirred the healing waters of Bethesda.²⁷ This pool was widely perceived as a biblical symbol of the font from which the Donatists had severed themselves by making a private sacrament of baptism. This font is the third of the gifts,²⁸ but also essential to the efficacy of baptism are the Spirit²⁹ and the priesthood,³⁰ and these make up the complement of five, to which no sixth can be added because these gifts, discrete as they are, cooperate in one salvific ministry as the fingers work together on one hand.³¹ For all that, it would be possible to understand his allusion to 'the keys' as a surreptitious augmentation of the list,³² this consequence we can avoid, much as we save ourselves from counting 13 tribes or 11 commandments, by annexing the keys to the chair of Peter. The Donatists, for their part, added a further gift, the altar, which they took to be represented in the Song of Songs by the navel of the Bridegroom.³³ To this, Optatus can only sneer that a member of the body is not an appurtenance: if, therefore, the altar is the navel of the church, it cannot be a gift.

From this brief burst of fire some light may fall on the dictum 'altar was set against altar'. In the New Testament Christ is the sole high priest of the church and his sacrifice the one expiation for sin. When we hear that the church has an altar of which the world cannot eat, we may understand this either as the cross or as the place (whatever that was) where Christians met to seal the covenant in Christ's blood and to share the passover that he had hallowed by his voluntary oblation. The application of sacerdotal language to Christian ministry had, nonetheless, been common in Latin since the time of Cyprian, and the altar of the typical congregation had no doubt assumed a more solid and permanent form in the years of indulgence between

27 Optatus, *De Schism. Donat.* 2.6; Augustine, *Ad Donat.p. Coll* 20; Revelation 2.1 etc.; John 5.4 (*textus receptus*).

28 *De Schism. Donat.* 2.8.

29 *De Schism. Donat.* 2.7.

30 *De Schism. Donat.* 2.9. I follow here the commentary of Edwards 1997, 31–40 and the literature cited there. Nevertheless, it can be inferred from 2.9 that the Donatists did not reckon the priesthood itself among the gifts, since they contended that the gifts could be exercised even if the priesthood lacked integrity. If Optatus also thought of sacerdotal integrity as a thing superadded to the gifts, the keys may take their place in the list of five.

31 *De Schism. Donat.* 2.5.

32 *De Schism. Donat.* 2.6.

33 *De Schism. Donat.* 2.2.6.

Gallienus and Diocletian. When Catholics denounced the schismatics as priests of Baal, we should read this as simply one more of the biblical oburgations that the two sides were in the habit of exchanging; it cannot be cited as evidence that they had substituted Christ for the human victims that their forefathers had offered up to Saturn.³⁴ It is true that *sacrificium* is sometimes a pejorative term in Optatus, all the more so when he accuses the Donatists of adding their own theatrical profanities to the rite; for him as for them, however, the altar is the centrepiece of worship, and the destruction of Catholic altars is the worst of their enormities, compounded by the breaking of the chalice from which the faithful were wont to drink the blood of Christ. In what sense they or the Catholics conceived the eucharist as a sacrifice he does not tell us. Writing almost coevally with the Donatist schism, Eusebius distinguishes first the offering of the bread and wine by the congregation, then God's gift to them of the body and blood of Christ and, finally, the believer's grateful self-dedication in body and soul as a living sacrifice.³⁵ Nothing so scholastic is to be looked for in Optatus, who, like his opponents, argues not so much by definition and deduction as by the elaboration of scriptural conceits.

In applying the Song of Songs to themselves, the Donatists were claiming to be the genuine heirs of Cyprian, who had striven to save the chastity of Christ's one dove,³⁶ the security of the walled garden which the bishop of Rome was threatening to defile by the admission of those baptised in unsanctified waters.³⁷ Here the typological rule is plain enough: we hold the tenets of Cyprian, and therefore our church is his. It appears that Parmenianus, the spokesman of the Donatists in the mid-fourth century, failed to explain the principle which enabled him to liken the Catholic baptisteries to the dehydrated wells of Jeremiah³⁸ or to detect an allusion to his adversaries in David's prayer 'let not the oil of the sinner anoint my head'.³⁹ Optatus purports to show that the prophet

34 See now Rebillard 2013.

35 Eusebius, *Praeparatio Evangelica* 1.10 etc. Cf 1 Corinthians 5.7; Romans 12.2.

36 Song of Songs 6.8.

37 See, for example, Cyprian *Ep.* 73.

38 Jeremiah 2.13 at *De Schism. Donat.* 4.9 [According to Tilley 1997b, 111 Optatus 'insisted that the passage should be applied to the group Jeremiah addressed, idolatrous Jews, and no-one else'; the illogical peroration to *De Schism. Donat.* 4.9, however, is 'It is therefore proved that what you have said about the oil and sacrifice of the sinner has been spoken not against us but against yourselves.']

39 Psalm 140.5 at *De Schism. Donat.* 4.7.

addressed the first text to the Jews and that the second prefigures the sinlessness of Christ, a Catholic axiom which only the Donatists think of contradicting. Fallaciously he concludes that, since the Donatists have wrongly applied these verses to the Catholics, they have proved themselves to be the intended subjects. For good measure, and perhaps only half in irony, he discovers a foreshadowing of their violence against the Catholics in the Psalmist's malediction on those whose feet are swift to shed blood. Was it not you, he goes on, who were denounced by the prescient Ezekiel as makers of veils to deceive every class of people? Was not Christ speaking to you when he said, 'Do not cast pearls before swine'? Who but the overweening prelate who styles himself bishop of Carthage can be the subject of Ezekiel's (otherwise hyperbolic) prophecies of woe to the prince of Tyre?⁴⁰ All valid applications of typology to the scriptures, he contends, will prove that if there is one church that is Christ's true dove, it is ours, not yours.

Optatus might have been surprised to learn that, in his seven rules for disengaging the true sense from the specious sense of scripture, the Donatist Tyconius had also endorsed the identification of the prince of Tyre with the sectarian bishop of Carthage.⁴¹ According to this manual⁴² it would often be necessary to ascertain whether 'Christ' was a name denoting Christ himself or the church as his body, whether the right or the left side of this body was intended, whether a promise was made unconditionally to those on the right or conditionally to those on the left, whether a specific or a generic interpretation of a prophecy was in order, whether the interval that is to elapse before a more generic prophecy is fulfilled is reckoned literally or symbolically, whether the past or the present is the time of consummation and whether the body in question is that of Christ or that of the devil. In applying the seventh rule to Ezekiel's prophecy of the fall of Tyre we discover that its true subject is the devil, whose fall into turpitude from a state of purity is a lesson to the Donatist church in its present state of decadence.⁴³ Augustine, in adapting the seven rules for the use of Catholics, seizes gladly upon his mentor's application of the parable of the wheat and tares to the church, forgetting that Tyconius remembered his own communion in its infancy as

40 *De Schism. Donat.* 3.3, citing Ezekiel 28.2, perhaps with an eye to Origen, *De Principiis* 1.5.4–5.

41 Tyconius, *Lib. Reg.* 7; Tilley 1997b, 127.

42 See Babcock 1989, and for summary Tilley 1997b, 118–28.

43 Tyconius, *Lib. Reg.* 7.

a field of unsullied wheat. Elsewhere neither party is spared in Augustine's strictures on wilful exegesis: he chides Optatus, rather than Tyconius, for his rash identification of the prince of Tyre with the Carthaginian upstart,⁴⁴ and surely it was by policy that he shunned the example of his beloved Ambrose, who seldom thought a purple patch complete until he had woven in a phrase from the Song of Songs.

Nevertheless, Augustine, like Optatus, treats catholicity as the hallmark of the one church and construes it with respect to geographical extension. Ignoring the Italian Montenses, he derides his opponents as a huddle of malcontents in a corner of the empire – a large corner and a large huddle, if the Donatists accounted, as many scholars believe, for more than half the Christian population of the Maghreb. The eastern Council of Sardica, which recognised Donatus as bishop of Carthage, is an Arian conventicler in Augustine's eyes, perhaps because he knew that its heterodoxy had been exposed in the wake of the intrigues of Theophilus, the Alexandrian patriarch, against John Chrysostom of Constantinople. *Securus judicat orbis terrarum*, 'the world is an infallible judge', is his motto against the Donatist bishop Parmenianus, also the chief interlocutor of Optatus. Another of his opponents, the grammarian Cresconius, had contrasted his modest profession with Augustine's career as a sophist; yet what is it but sophistry to contend that schism is less pernicious than heresy on the grounds that the heretic sets his feet on the wrong path while a schismatic chooses to follow the true path in different company? Augustine retorts that if there is one Christ, one death and one resurrection there can be only one baptism into that death and resurrection and only one church to which that baptism unites us. To suggest that the church may be present where the true baptism is lacking is itself heresy; in fact, every heresy starts with a separation from the body of Christ, and Augustine's definition of heresy is 'inveterate schism'. If it were to be granted that a man can be a schismatic without having fallen into any doctrinal error, it would follow that he is guilty of the most culpable sin of all, the sin against knowledge. Dare we surmise that Augustine, silently conscious that paradise was one of Cyprian's biblical similes for the church, had already embarked on the train of thought that led him to say, in the *City of God*, that Adam's sin was greater than that of Eve?

Parading a knowledge of Cyprian to which few could pretend, he argues that the Donatists who appeal to him have reproduced his errors

44 Augustine, *Ep. ad Cath.* 42.

but remained deaf to his better counsels. Wrongly opining, as he did, that everyone baptised in another communion would need to be rebaptised into the true church, Cyprian nonetheless refused to break fellowship with those Catholics who were not of his own persuasion.⁴⁵ In Cyprian this is the pragmatic maxim of a man whose combative life (or the mentality shaped by combat) has abridged his leisure for deliberation; Augustine, whose every comma is pregnant with deliberation, assumes that he and Cyprian are at one in holding love to be the latent grammar of all Catholic reasoning, whether the subject be the nature of the Trinity, the meaning of scripture, the norms of faith or the function of the church. His premises and the goal of his argumentation will become more evident once we have further explained the difference between his understanding of baptism and that of his adversaries.

The Nature of Baptism

Since baptism is a work of God and the same God inspired both Testaments the majority of the arguments, on either side, for the unrepeatability of the rite are typological. The words 'on either side' are not here by oversight, for the Donatists held as strongly as the Catholics that a baptism cannot be administered to the same person for a second time. Because they imposed the caveat that no baptism has been performed if the minister is not of the true succession, they maintained that the Catholic baptisteries were empty wells, and that anyone quitting the Catholic for the Donatist church was now receiving the bath of regeneration for the first time. On the other hand, where there was no taint of apostasy there was no loss of the apostolic prerogative: Augustine is wrong to charge them with inconsistency in acknowledging the baptisms performed by Maximianus and other fugitives from their own sect whose only sin was to have broken off communion with the main body.⁴⁶ Parmenianus could reasonably hold that the water of the Maximianists remained unsullied. Drawing upon the image of the church as an ark in the first epistle of Peter, Parmenianus reasoned that, as there had been but one great flood,⁴⁷ so there could be no second redemption of humanity by immersion. Optatus gloats that this is to grant the Catholics

45 Augustine, *De Bapt.* 2.19.15, 3.3.4 etc.

46 *De Bapt.* 1.1.2; *C. Cresc.* 3.22.

47 *De Schism. Donat.* 5.1.

all that they ask for: the metaphor proves that Catholics and Donatists have been cleansing their initiates from the same font. Of course, Parmenianus does not grant this any more than Optatus himself would grant, by parity of reasoning, that baptisms performed by heretics are efficacious. The flood was indeed a universal instrument of destruction: it becomes a symbol of baptism only where there is an ark.

Optatus triumphs again when his opponent draws a contrast between the true water of his own church and the false water of the Catholics.⁴⁸ Parmenianus has also likened the baptism of Christians to the rite of circumcision among the Hebrews: show then, exclaims Optatus, that there were two circumcisions, and we shall admit that it is possible for two churches to be dispensing different waters. No doubt Parmenianus could have replied that the Arabs, the Edomites and the Egyptians were all circumcised, yet were not of the chosen people: Christian apologists had already urged this point against the Jews. On the other hand, he might have thought it enough to remind Optatus that he was speaking literally of baptismal waters and typologically of circumcision. There are, in fact, and to God's displeasure, two competing churches in Africa, each with its own apparatus of salvation. Since only one is genuine, we cannot demand that both should be prefigured in the scriptures: there was no second ark for those who scoffed at Noah, so why should there be a second circumcision for the unfaithful? In any case, the asymmetry between circumcision and baptism becomes obvious when Optatus specifies three conditions for the efficacy of the Christian sacrament – the triune name, the faith of the recipient and the formal competence of the minister.⁴⁹ Circumcision must meet a physical standard, whereas baptism requires only the observance of a particular form of words. Circumcision is almost always involuntary, whereas baptism signifies nothing without the assent of the one baptised. Jews and Christians agree in appointing a minister to perform the rite; for Optatus, however, this is the most dispensable of the three tests. The Trinity is one and the faith of the church is one; the person of the minister differs according to the time and place of the ceremony, and hence cannot be essential to its success.

This inchoate theology of baptism is a branch of the ecclesiology which Optatus has built on the foundations dug for him by his interlocutor Parmenianus. Augustine's treatise against Parmenianus, also in seven

48 *De Schism. Donat.* 5.1.

49 *De Schism. Donat.* 5.4.

books, begins with a more elaborate doctrine of baptism, and might have gone no further had he not been forced to ramify his argument by his adversary's repeated appeals to Cyprian. Reasoning to the same end as Optatus, but more clearly, he distinguishes the validity from the efficacy of the rite. No blemish in the minister can detract from its validity, which depends only on the invocation of the Triune name: so long as this condition is observed, the Donatist laver is as clean as that of the Catholics. Validity in itself, however, is not enough to secure the efficacy of the sacrament: by way of analogy, one might think of a will that has been signed and witnessed but is never read, or (for those who remember such things) a cheque that has been received but not yet drawn upon the bank. The forgiveness of sins that baptism promises cannot be imparted without an act of faith on the part of the recipient; and faith, as Augustine learned from Paul, must consist in something more than a sincere conviction of one's righteousness in the eyes of God. Augustine never tires of repeating the apostle's maxim that 'in Christ Jesus circumcision or uncircumcision counts for nothing, only faith that works by love'.⁵⁰ He had already reached the conclusion that no fallen child of Adam can possess such a faith unless it is quickened by the hidden workings of the Spirit and, since the Spirit proceeds from Christ as well as from the Father, its operations are not to be looked for anywhere but in the body of Christ: that is to say, in the one true church.

Thus the doctrine of baptism broadens logically into an ecclesiology; this, too, for Augustine is only one element in a larger system. Since God is love, the Godhead is a bond of three: the lover, the beloved and the love that sustains the union. Since the Word of God became flesh for our sake, the written word that bears witness to him must be interpreted at all times according to the rule of charity. Since we are no longer at peace with this creative Word, it is only through the infusion of his grace that we can learn to act at all times for love without pride or fear, as the law of perfect righteousness enjoins. Hence, while it is true on Augustine's principles that we can have no church without Christ, it is equally true that we can have no knowledge of Christ without the Bible and no Bible without the church. It is all the more remarkable that these themes are handled in the treatise against Parmenianus with only vestigial allusions to the Song of Songs, the majority of which are mere echoes of Cyprian. Of all the motifs that

50 Galatians 5.6.

he might have plucked from Cyprian's correspondence,⁵¹ the one that he elects to develop is that of the church as a garden. In Cyprian the image of paradise as an orchard of living waters coalesces with that of the *hortus conclusus*, or enclosed garden, as an asylum of virginity. Augustine, in whose works the second chapter of Genesis figures as ubiquitously as the Song of Songs in Cyprian, does not dwell on the inaccessibility of paradise but argues, on the contrary, that as the rivers flowed out of Eden into less favoured territories, so the gift of baptism can be vouchsafed to those outside the communion of the faithful. What cannot be vouchsafed is the faith itself: where this is lacking the charter of salvation will remain dormant, and it must be lacking so long as this charter has not received the endorsement of the true church.

Epilogue

The protagonists of the Donatist controversy are all Latin-speaking Africans; what was said of the schism outside the Maghreb we do not hear, except for a handful of synodical pronouncements in favour of Caecilian and his heirs. Occasionally, however, one is tempted to discover a quiet reverberation of it in the Christian literature of the late fourth century. Thus, while the 80 heresies of Epiphanius do not include the Donatists,⁵² he makes new capital of the hackneyed simile from the Song of Songs, likening the true church to Solomon's dove and the heresies to his concubines. We have noted above that the ecclesiological prose of Ambrose – and when is Ambrose not ecclesiological? – is shot through with imagery from the same book. Most telling of all, as Optatus is not in the habit of quoting uncanonical texts, is his use of the maxim 'Thou shalt not make a schism' as though it were scriptural.⁵³ Its source is the letter of Barnabas,⁵⁴ which does not appear in any New Testament of the fourth century and was not among the *libri ecclesiastici*, or edifying volumes, that were treated as a supplement to the canon. It does appear, however, in the appendix to the Codex Sinaiticus, one of our oldest manuscripts of the entire New

51 For the dove see 3.17.22.

52 He appears to confuse them with the Novatianists at *Ancoratus* 13 and *Panarion* 59.13.

53 *De Schism. Donat.* 3.7.

54 Barnabas 19.12. See Holmes, 2007: 436–9.

Testament.⁵⁵ We may therefore surmise that Optatus had found the letter of Barnabas in the Latin equivalent of this codex, and that in the Latin, as in the Greek, this increment to the canon was a prophylactic measure. That is to say, while each half of the empire had its own divisions, Catholics in all places had a motive for enhancing the authority of a text that no schismatic could wrest from them.

Above all, this African conflict shaped the theology of Augustine, and not in the trivial sense in which this is also true of Optatus. If, as has been suspected, he is sometimes guilty of storming positions that had not been occupied by the Donatists, the result was that he was all the better equipped for a more celebrated trial of his powers in his final years. The Donatist as Augustine represents him is a parochial Pharisee, so besottedly certain of his own rectitude that he cannot hold communion with anyone in whom he perceives a blemish. Such a man disobeys Christ's precept every day, as he cannot sincerely utter the prayer 'Forgive us our trespasses'.⁵⁶ In fact, there were not many Donatists, if any, who could have sat for this caricature. Their fathers had seceded because they held the bishop of Carthage guilty of collusion in the deaths of martyrs and because one of the bishops who consecrated him, Felix of Abthungi, was reputed to have been a *traditor* – that is, to have handed over copies of the scriptures to the pagans. Unless both prelates had been maligned, the Catholics were guilty of connivance at apostasy, and apostasy in an age of persecution was a sin that many deemed inexpiable. Even those who were willing to readmit the lapsed to communion after arduous penance did not maintain that the orders of a cleric who had abjured his faith could ever be restored. At the first trial in Rome, again at Arles in 314 and again in the hearing arranged by Constantine after Arles, the presumption was that if Felix was a *traditor* Caecilian was unworthy of his bishopric. Thus the Donatists cannot be convicted of utopian rigorism if their only aim was to keep their own communion free of this taint. It may be that they danced on air to maintain this purity: according to Augustine, the Rogatianists were excommunicated for their pacifism, Tyconius for his precept that the true church must extend throughout the world.⁵⁷ It is also true, if Augustine is

55 See Jongkind 2007, 51, though he does not see the transcription of this writing as evidence of its canonicity.

56 *C. Cresc.* 2.35; cf. Optatus, *De Schism. Donat.* 7.2.

57 *C. Ep. Parm.* 1.11.17; for Tyconius see *ibid.*, 1.1.1 and Tilley 1997b, 124 and 206 n. 117.

a fair witness,⁵⁸ that they demanded absolute sinlessness in the minister of baptism and were forced into tortuous casuistry when asked how one could put one's trust in a rite whose validity seemed to depend on circumstances that are known only to God. Even if they were guilty of institutional pride, however, it does not follow that each imagined himself sufficient for his own salvation. A pure church need not be the church of the pure, and even the Augustinian church refused communion to those who committed any of the numerous acts that it deemed to be mortal sins.

In short, Augustine's Donatist is a caricature; soon he was to discover that this picture was a fair likeness of a hitherto unsuspected adversary. The boundless and unprecedented candour of his *Confessions* pre-empted any charge that might have been brought against him as bishop of Hippo by his rivals; the British monk Pelagius, however, met not Donatists in Italy but Laodicean aristocrats who were only too glad to be told that even a bishop could go on sinning and that the human will, when left to itself, is impotent to do good. Against Augustine's recipes for laxity, he insisted that each of us has been endowed by God with the strength to resist temptation and the freedom to exercise it. Jerome and others accused him of maintaining that we can live a perfect life without the co-operation of the Holy Spirit; the synod of Diospolis,⁵⁹ however, was satisfied that he had not denied the necessity of grace. In his tract *On the Acts of Pelagius* Augustine protested that his subtle tongue had deceived the Greeks, but he himself entered territory into which no Greek could follow him when he argued that even the will to cooperate with the Holy Spirit must be planted in us by irresistible grace, and that this grace is afforded only to those whom God has elected by his secret counsel. Augustine is not yet, or not expressly, a predestinarian in his refutations of the Donatists: what he had said against them, however, he could say more opportunely against these new perfectionists. Personal, not ecclesiastical, purity was the goal of the Pelagians: they could fairly be accused of asking too much of the body in its fallen state, of excluding venial sinners from salvation and of praying without sincerity for the forgiveness of their sins.

The dispute with the Pelagians also tested Augustine's notion of catholicity. Of all the voluminous writings of Augustine against the Donatists the only one that alludes to the primacy of Peter's see is an early

58 *C. Litt. Petil.* 1.6; *C. Cresc.* 3.12.

59 Rees 1988, 135–6. For a chronology of the Pelagian controversy see *ibid.*, 140–3.

poem which cannot be said to express the churchmanship of his maturity.⁶⁰ The Matthaean texts in which the keys of heaven are confided to Peter are never said, when cited at all, to imply that the keys are an heirloom which can be wielded with apostolic power by each new bishop of Rome. Even Cyprian is more of a Papalist, at least if he is the author of the treatise *On the Unity of the Church* in its longer form, which seems to intimate that Rome has succeeded Peter as a hegemonic source of unity.⁶¹ Perhaps Augustine had outgrown a juvenile faith in the primacy of Rome; perhaps, like many of his countrymen (and, we may add, like the pontiff himself) he was disturbed by the growing frequency with which appeals against clerical judgements were being presented to Rome by the African laity. Within a few years of the Conference of Carthage in 411, where the Donatists were reviled though hardly routed, the Africans had cause to be glad that he had refrained from giving this hostage to fortune. A cleric named Apiarius, having been condemned by his African superiors, appealed to Rome, where Zosimus acquitted him and commanded that his orders be restored.⁶² When the Africans demurred, he invoked a canon, purporting to come from the Council of Nicaea, which gave him the power to overrule them. Surprised to learn, after almost 100 years, that their records of Nicaea were imperfect, the Africans made inquiries in Alexandria and discovered that this church was equally ignorant of the canon. The see of Rome, no doubt in the sincere belief that Sardica was the completion of Nicaea, had fallen into the habit of regarding the decrees of both as promulgations of a single council.

This was an ecclesiological solecism; in 418 it seemed to the African church that Bishop Zosimus had fallen into theological error by declaring Pelagius innocent of heresy.⁶³ Zosimus, himself a Greek, will have taken his lights from the synod of Diospolis, where Pelagius had been exonerated in 415. Since then, however, he had been condemned once more by the Africans, who now dispatched a magisterial letter of remonstrance to Zosimus, setting out the Augustinian doctrine of original sin and demanding a retraction of his judgement. He obliged, and the west has generally awarded both the theological and the political victory to Augustine. In the east, however, Pelagius was not condemned but forgotten, and the victory came at a high price for the church in the west, as it threw into doubt the

60 Batiffol 1920, 184–209.

61 See further Bévenot 1971.

62 Merdinger 1997, 116–24.

63 Merdinger 1997, 128–32.

notion of catholicity that Augustine had enunciated against the Donatists. If Africa could be right when Rome and the east were united in error, it was clear that geographical unanimity could not be a criterion of sound doctrine and that, in Augustine's eyes at least, the health of the ecclesiastical body could not be sustained if truth were sacrificed to peace. This point was eagerly made, a thousand years later, by anti-Pelagian reformers whom the Roman church had stigmatised as Donatists: the bifurcation of Christendom in the west is the result, as Warfield put it,⁶⁴ of the triumph of Augustine's doctrine of grace over his doctrine of the church.

64 Warfield 1971, 383.

RURAL SOCIETY IN NORTH AFRICA

Cam Grey

Introductory: Donatists, *Circumcelliones* and Peasant Revolts

If our fourth- and fifth-century sources are to be believed, the countryside of North Africa was a hotbed of discontented peasants simply waiting for the opportunity to rise up against their lawfully sanctioned landlords, bishops and imperial officials. The spark that ignited their discontent was provided by a dispute over the actions of certain bishops during the Great Persecution under Diocletian, which, through the agency of a shadowy group of warrior monks named the *circumcelliones*, was transformed into a struggle over religious autonomy, socio-economic power and political self-determination for both rural and urban dwellers. In modern scholarship this rather melodramatic picture has engendered a multitude of interpretations, ranging from arguments that it represents the rise of an African nationalist resistance to Roman rule to assertions that it is the quintessential peasant revolt of Marxist theorisations, and therefore a potent symbol of the perpetual class struggle that characterises societies of past and present alike.¹

In recent scholarship the hues of these somewhat colourful interpretations have been softened slightly, and refracted through lenses of aristocratic self-representation and attitudes towards both the rural and the urban poor. The moment or moments that the so-called Donatist Controversy represents have been placed within the broader political, socio-economic and religious contexts of late antique North Africa and the sharp outlines of the incidents of conflict at shrines, markets and rural estates have been reimaged as elements in a much more multidimensional and complex set of interactions between Christians of various socio-economic statuses and stripes.²

- 1 The literature is vast. For broad contours, see the still-relevant and influential works of Brisson 1958; Frend 1985.
- 2 See, most particularly, the masterly, but complementary, accounts of Dossey 2010; Shaw 2011.

The physical landscapes within which those conflicts took place have been fleshed out by means of survey archaeology, which has identified and typologised a range of site types, producing a relatively coherent picture of both changes and continuities in their patterns of distribution over several centuries. Likewise, much work has focused upon economic patterns – trade and exchange, the location and function of markets and the routes of roads – with the result that the religious controversy that is the subject of this volume can be witnessed playing out against a much more complex background, and within a much more variegated and diverse set of circumstances, than the starkly drawn lines of our written sources might suggest.³

In what follows I build on these recent accounts by seeking to place the actions of peasants during the period of the Donatist Controversy, such as they can be recovered, within the context of longstanding structures and strategies of social interaction. I will suggest that, at base, those structures and strategies revolved around the management of social and economic risk rather than doctrinal convictions, nationalistic identity or class consciousness. I will argue that an approach of this sort broadens our understanding and appreciation of the possible impact that the Donatist Controversy had upon the internal cohesion of the hamlets and villages of the region and their relations with the various figures of power and influence with whom they interacted. In pursuit of this aim I focus upon a series of vignettes, grouped around four sets of interactions: first, relations within and between rural communities in the period; second, interactions between the inhabitants of those communities and the large landowners who owned much of the land they farmed; third, the impact that the presence of bishops in these contexts had upon the cohesion and collective activity of those communities; and, finally, evidence for their relations with and exploitation of the Roman state and its agents.

My approach is deliberately anecdotal, and it is not my intention to provide an encyclopaedic synthesis of everything that is known or can be said about the countrysides of late antique North Africa. A number of excellent recent works have largely done that job already. Rather, I seek to explore some illustrative or suggestive snapshots and glimpses of interactions, relations, strategies and structures that can be observed among and between the rural inhabitants of North Africa in the period. My aim

3 A brief survey of recent contributions to an expanding literature would include: Fentress 2007, 125–41; Desanges et al. 2010.

is to illustrate the diversity of possible experiences across both time and space, and thereby to further the project of problematising accounts of the conflict and its participants which speak unreflectively of ‘the peasantry’, ‘rural North Africans’ or ‘the poor’. This diversity of experiences takes as its backdrop considerable physical, topographical and settlement diversity, and I therefore begin with a sketch of the picture that can be drawn from survey and excavation data.

The Countrysides of North Africa

In recent scholarly literature our understanding and interpretation of the North African countryside in late antiquity has undergone a radical transformation. This transformation is largely in line with similar developments elsewhere in the Mediterranean world in the period, and comes on the back of new insights from archaeological survey and a re-evaluation and reformulation of longstanding explanatory paradigms. Scholars now recognise that explanations based on notions of economic decline, impoverishment and barbarisation, as the last vestiges of the Roman imperial order gradually slipped away, fall wide of the mark. In place of these rather unsubtle positions, a picture of complexity, diversity and economic dynamism has now emerged. Indeed, the results of a number of surveys in various parts of the former Roman provinces of North Africa reveal that the inhabitants of the countrysides of the region in the fourth and fifth centuries had greater access to finewares and other material trappings of identifiably Roman form than they had previously. Not only are these materials present in greater numbers than in prior centuries, they are also found on much smaller sites, which are thereby rendered archaeologically visible for the first time.⁴

The particular constraints and characteristics of archaeological survey are relatively well known, and do not need extensive restatement here. For our present purposes it suffices to observe that finewares tend to be privileged in the identification and dating of sites in survey projects because they are more readily identifiable and more securely dated than locally produced coarsewares. In North Africa those finewares can be grouped under the general rubric of African Red Slip (ARS), a form of pottery that first emerged towards the end of the first century CE, constituted a robust

4 Dossey 2010, 32–5, summarises.

economic and physical presence in and around the cities and towns of North Africa over the course of the next two centuries, and then appears to have fragmented into a multitude of dispersed microindustries across the countryside of the region during the fourth and fifth centuries and beyond. However, the resulting picture of site distribution is, first and foremost, an index of the presence of these ceramics. It remains to be determined, therefore, what the increased presence of finewares on small, medium and large rural sites alike signifies in the period. Demographic growth? Settlement redistribution, or fragmentation of ceramic production sites? Increased wealth and spending power? Changing cultural expectations or mores? It is likely that any comprehensive answer will draw upon more than one of these interpretative paradigms, and it is not my intention to engage in detail with the extensive scholarship around this issue. Rather, in what follows I offer a brief account of site distribution and patterns in the period and comment, equally briefly, on how we might interpret this evidence. These comments will provide a context within which the vignettes drawn from the textual sources treated in the latter parts of this chapter can be read.

While knowledge of the landscapes of North Africa continues to lag behind that of the rest of the western Mediterranean, the region has been the subject of several detailed survey projects in recent decades.⁵ These projects have produced a multitude of complementary regional narratives which, together, provide a heterogeneous picture of settlement and land-use patterns in the areas that they have covered. We may, with caution, begin at a broad, super-regional level of analysis and observe that, in the period beginning in the late second century BCE, the impact of Roman rule, Roman populations and Roman economic structures on the region was relatively limited. This appears to have changed around the second century CE, as the landowning elites of North Africa began to participate more fully in both the economic and the political aspects of empire. One consequence of these processes was the development of patterns of settlement that we may characterise, with all due caution, as Roman: cities and the estates of wealthy landowners predominated, and served as anchors for villages and scattered hamlets populated by communities of individuals whom it is reasonable to label peasants. These latter types of settlement are difficult to

5 Synthetic accounts, with fuller references, in Duval 1990; Mattingly and Hitchner 1995; Chavarria and Lewit 2004, particularly 21–4; Leone and Mattingly 2004; Merrills 2004, 8–16.

identify in the period, a phenomenon which is probably due in part to the nature of survey methodologies briefly sketched above. As a consequence, we may surmise that sites on the lower socio-economic rungs of rural settlement hierarchies in North Africa are under-represented in this period.

When we turn to the late Roman period, and zoom in to a micro-regional scale, these broad patterns largely melt away, to be replaced by a collection of individual narratives. Those narratives derive from surveys undertaken in a range of physical contexts, from coastal or inland cities and their hinterlands through intramontaine valleys to high steppe regions. In Numidia, where our textual sources locate the bulk of Donatist-related activity, we are, unfortunately, rather poorly served. A survey begun in the Belezma valley of Algeria – but abandoned shortly afterwards owing to unsafe local circumstances – has yielded suggestive, but incomplete, results that, given the current state of the evidence, are difficult to interpret.⁶ But Africa Proconsularis, which has experienced relatively extensive survey activity, yields a richer, more complex collection of stories. There, a tangible falling-off in the numbers of rural sites in the hinterland of Carthage over the course of the fourth century may be contrasted with a significant increase in farmsteads, hamlets and agro-industrial installations in the Segermes valley beginning in the Severan period and continuing into at least the fourth century.⁷ Meanwhile, in the fertile uplands around Thugga (modern Dougga), a patchwork of farm and villa sites accompanied, in the majority of cases, by olive presses, appears to have continued largely unchanged through the late Roman period until at least the Vandal conquest.⁸ In Byzacena, survey in the Kasserine region around the towns of Cillium and Thelepte has revealed an even more complex and heterogeneous pattern, including villas, large rural agglomerations termed ‘agro-villes’, agro-industrial complexes, hamlets and farmsteads. Settlement and land use in this region appears to have intensified in the fourth and fifth centuries, and been accompanied by the undertaking of quite ambitious irrigation and water-management projects.⁹

When we turn to a consideration of what this evidence might tell us about the socio-economic make-up of these countrysides, we may draw

6 Fentress et al. 1991.

7 Carthage: Greene 1992. Segermes Valley: Dietz et al. 1995; Ørsted et al. 2000.

8 De Vos Raaijmakers and Attoui 2013.

9 Hitchner 1988.

some cautious synthetic conclusions and observe that newly identified sites in these three provinces appear to occupy the very same rungs on rural settlement hierarchies that are least visible in the preceding period. This relative explosion in the numbers of smaller sites is accompanied, in some areas at least, by changes in the nature and distribution of sites identified as belonging to wealthy landowners. There is little doubt that estates continued. But their characteristic forms appear to have changed from the open, villa-style structures of the high imperial period towards more fortified, closed or turreted structures from the fourth century. These fortified farms, wherever they are located, tend still to be associated with the smaller, less architecturally grand settlements that we imagine peasants to have inhabited.¹⁰

Elsewhere, particularly to the east of the proconsular province, we encounter a similar diversity of micro-regional configurations. Systematic survey around the city of Caesarea has, again, yielded a variegated tapestry of villas, agro-industrial installations, hamlets and farmsteads, which appear to have experienced some numerical decline over the course of the third, fourth and fifth centuries – although it is clear also that this hinterland continued to be occupied and exploited in the period.¹¹ In Tripolitania, by contrast, the Libyan Valleys Survey has documented some falling-off in site numbers from the late third/fourth century to the fifth century, but even here there does not appear to be consistency across the whole region covered by the survey project.¹² It is possible also that this evidence points towards nucleation of settlements, which may have accompanied a decline in the fortunes of the open farms of the preceding centuries that is comparable to trends in the regions noted above. This process of reduction in the number of sites visible in the landscape need not necessarily have entailed demographic decline, for the physical area of these nucleated sites seems, broadly, to match the physical area of the greater number of dispersed sites that had preceded them. We also witness the emergence – or, at least, the significant growth – in the North African countryside of *gsur* (*ksour*), or fortified towers, characteristically associated with agrarian hamlets. In addition to these hamlets, the ceramic evidence suggests the existence of villages and, throughout North Africa,

10 Brief comments in Mattingly and Hitchner 1995, 195, 213. Also Dossey 2010, 36–7.

11 Leveau 1984.

12 Barker et al. 1996.

these villages and hamlets, towers and fortified farms can often be found quite closely associated with small and medium-sized pottery production facilities.¹³ This pattern of distribution of kiln sites is the most explicit evidence of the diffusion of the ARS production industry across the region in the period, and in her recent account of the experience of the North African peasantry in these centuries Leslie Dossey has plausibly linked this diffusion to changes in the make-up of the landowning elite.¹⁴ I return to this proposition below, for it speaks both to the diversity, dynamism and complementarity of rural economic activity in the period and to the opportunities that the presence of new aristocracies with new economic and political frameworks provided to peasants.

Two things emerge from the survey evidence. The first is a diversity of settlement types and distribution patterns on both an intra- and an inter-regional scale – although it is difficult to argue that this diversity either intensifies or abates in the period under question here, or to build any sustainable arguments about population growth or decline. The second is the often close association of large and small sites, an association that prompts further exploration of rural power relations and socio-economic structures. Naturally, the exercise of making meaningful connections between the material data and the legal, technical, documentary and literary evidence of the region in the period is fraught with difficulty, not least because these various classes of evidence rarely coincide in time and space. Nevertheless, textual sources reveal a variety of patterns of economic exploitation in the North African countryside. Wealthy landowners of curial status continued to own large estates and to rent them out in a variety of forms, although the terms of those rentals are almost completely opaque to us.¹⁵ The tenants of these estates might reside in hamlets on or around that estate, or inhabit villages located nearby. This pattern of private ownership on a large scale in Africa is something of a trope in the written sources – so much so that, in his self-consciously learned and technical treatise on the characteristics of

13 Mattingly and Hitchner 1995, 194; Fentress et al. 2004, 159. Dossey 2010, 73–6.

14 Dossey 2010, 92–3.

15 Cf. Dossey 2010, 87 n. 128: ‘The only thing we can say for certain about North African tenancy arrangements is that some *coloni* were sharecroppers.’ We should resist the temptation to fill in our gaps in knowledge by recourse to the scholarship on the ‘colonate of the late Roman Empire’, for there, too, recent scholarship stresses diversity rather than homogeneity. For fuller discussion, with further references to the relevant literature, see Grey 2007.

disputes over land, the fourth- or fifth-century agronomist Agennius Urbicus observes that:¹⁶

in Africa ... private individuals have estates no less extensive than the territory belonging to communities. Indeed many estates are far bigger than territories. Moreover, private individuals have on their estates a not insubstantial population from the lower orders, and villages scattered around their country house {villa} rather like municipia.

[in Africa ... saltus non minores habent priuati quam res p. territoria: quam immo multi saltus longe maiores sunt territoriis: habent autem in saltibus priuati[s] non exiguum populum plebeium et uicos circa uillam in modum municipiorum.]

In the late Roman period members of municipal aristocracies were joined in those municipalities and their hinterlands by current and former members of the imperial bureaucracy, who sought to employ their considerable wealth and political clout to insert themselves into local structures of landownership and power. These incursions can be traced, in part, through the elaborate hierarchy of deference contained in the *Ordo Salutationis* of the city of Timgad, which offers hints of the complex landscapes of power and authority that emerged in the period.¹⁷ As we shall see, those landscapes both impacted upon rural communities and provided opportunities for those communities and their members to exploit in pursuit of their own ends.

Imperial estates are attested, too, rented to both large and small tenants. In some circumstances the terms under which these estates were rented seem to be Mancian tenure, an arrangement whereby the tenant obtained perpetual rights of possession of the land in return for an ongoing share of one-third of the crop – as, arguably, evidenced by the *Tablettes Albertini*, a collection of late fifth-century wooden tablets from Tbessa which seem to trade these rights backwards and forwards between the members of a relatively small agricultural community.¹⁸ In others, we observe *conductores* taking on the rental of a large tract of land and renting portions on in turn to smaller-scale tenants, or *coloni*.¹⁹ An early fourth-century

16 Agennius Urbicus, *De Controversiis Agrorum*. Text and translation from Campbell 2000, 42–3.

17 *Album ordinis Thamugadensis; Ordo Salutationis* (CIL viii.17896 (361–3, Timgad)), with Lepelley 1981.

18 For Mancian tenure, still seminal is Mattingly 1989. Also de Ligt 1998–9.

19 For *conductores* in North Africa, Vera 1992.

law offers hints, moreover, that groups of tenants might band together and collaborate in the collective tenancy of an imperial estate when it allows for each member of such a collective to pay his share individually.²⁰

It is difficult to determine the extent to which the small farmers taking tenancies on these private or imperial estates were able to do so in a dynamic and flexible manner, in response to the particular circumstances of their households and families. Comparative evidence suggests that, given the choice, peasants will establish elaborate, diversified economic portfolios characterised by a multiplicity of small parcels of land in order to minimise the risk of a single hazard or crop failure leading to a catastrophic subsistence crisis.²¹ It is within this context that we may, perhaps, understand the extremely small size of the portions of land that change hands in the *Tablettes Albertini*. But it is less easy to establish with certainty the regularity with which renting a small portion of land from an imperial *conductor* was combined with taking a tenancy with a private landowner of curial or ex-imperial status or owning a plot of one's own. It is true that when our aristocratic sources do speak of the tenants on their estates or those of their interlocutors or subjects, it is often in terms of ownership. The tenants of the *fundus Volusianus*, for example, who are the subject of a letter long attributed to Sulpicius Severus that treats a collection of rather abstruse legal principles concerned with landownership and the rights of landlords over their tenants, are referred to by the anonymous author as *ruricolae mei*, 'my rustics'.²² Similarly, church councils and imperial edicts directing landlords to ensure that their tenants are practising religious orthodoxy support the assertion that wealthy elites of the region perceived their position vis-à-vis those peasants to be one of authority, power and dominance.²³ However, as we shall see, it was not always the case that the peasants in question shared those views – and, even when they did, they appear in at least some cases to have been able to exploit those expectations to their own advantage.

20 *CTh.* 11.19.1 (321, Africa).

21 For risk management strategies among peasants, Gallant 1991; Grey 2011, especially 60–3.

22 *Ep. ad Salvium* 2.9. The authorship of this letter remains controversial: see the rather different positions of Lepelley 1989, 238–9; Sirks 1999, 94–5.

23 Riggs 2006; Dossey 2010, 188.

Communal Structures, Communal Strategies

Notwithstanding the claims of aristocratic landlords, bishops and imperial officials to determine and direct the behaviours of their dependents, studies of peasant communities elsewhere in the Roman and late Roman world, as well as in better-attested historical and geographical contexts, reveal a relatively high degree of socio-economic diversity within those communities, and a correspondingly complex set of communal strategies for managing the tensions and conflicts that tend to accompany such diversity. The cohesion of these communities tends to rest on their ability to manage those tensions and to affirm the benefits that communal living brings over the obligations or sacrifices it entails. The most fundamental benefit of community is the opportunity that it presents individual peasants to manage risk and insure themselves against catastrophic subsistence failure. However, in order to take advantage of this opportunity individuals must participate and be perceived by their fellows to be participating in certain community-affirming behaviours, and their willingness to do so is one measure of their social risk – that is, the degree of their integration into their community and the flexibility and adaptability of that community when faced with conflict. Broadly speaking, these community-affirming behaviours may be grouped under the rubric of reciprocity – exchanges of goods and services which run the gamut from feasting and gift-giving on festive days through communal harvesting and processing of agricultural produce or, in arid environments at least, the construction of large-scale irrigation works to the complex networks of small favours and acts of friendship that exist between neighbours, kin and family members.²⁴ Even in circumstances where figures of power are present, visible and influential – as, arguably, in rural North Africa in this period – these perpetual, iterative acts of exchange combine to form webs of mutual obligation that bind small communities together.

Our analysis of rural society in late antique North Africa should therefore properly begin at the level of the peasant community, with an account of the various mechanisms of internal regulation present among the hamlets, villages and compounds that dotted the landscape. However, our evidence for these mechanisms is perilously thin. We catch glimpses of social differentiation in the existence of councils of *seniores locorum*,

24 On reciprocity in rural communities, Grey 2011, 75–84. For irrigation works in North Africa, see Mattingly and Hitchner 1995, 187–8.

groups of individuals who are likely to have wielded some small amount of influence and authority within the *vici* and *castella* where they are attested.²⁵ We might expect these groups to have comprised the wealthier members of those communities, although we have little evidence to build on in answering questions about the heritability of the office or the extent to which they constituted an exclusive or an inclusive body. They are, however, implicated in the religious dispute that is the focus of this volume, for a council of *seniores* is fleetingly visible in the village from which the early fourth-century Donatist martyrs Maxima, Donatilla and Secunda were plucked to go to their martyrdom, while church councils of the period also direct *seniores* to ensure proper observation of orthodoxy within their communities and entrust them with the task of rooting out (Donatist) heretics.²⁶

Beyond these glimpses of involvement in ecclesiastical politics, these individuals are largely invisible to us in the period, but it seems reasonable to suggest that we witness here the church and its bishops, priests and other officers taking advantage of pre-existing groups, rather than constituting them *de novo*. By analogy with comparable contexts – Egypt and Syria, for example, whose arguably more robust village communities are attested addressing issues of water management and the mediation of conflicts over the threshing of grain²⁷ – we may imagine that these *seniores* were involved in the conflicts over irrigation and boundary disputes that we occasionally catch sight of in our sources.²⁸ It is likely also that the irrigation systems, threshing floors and oil- and wine-processing installations that have been documented in archaeological surveys of the region are physical manifestations of complex collections of interactions both within rural communities and between those communities and the wealthy landowners alongside whom they lived.

The diffusion of the ARS industry throughout the North African countryside in the period invites similar speculation about communal

25 Shaw 1982b; 1991.

26 *Passio Maximae, Donatillae et Secundae* 1; *Concilia Africae*, Carthage 403 (CCSL 149: 210), with Dossey 2010, 118–9, 121–2.

27 Cf., for a broader discussion of the small politics of rural communities, Grey 2011, 91–120.

28 Irrigation disputes: Agennius Urbicus, *De Controversiis Agrorum*, in Campbell 2000, 20–1; also note the Lamasba inscription (CIL VIII.18587 = ILS 5793 (early third century)), with Shaw 1982a. Boundary disputes: Agennius Urbicus, *De Controversiis Agrorum*, in Campbell 2000, 42–3.

involvement, socio-economic complexity and collaboration between peasant communities and outsiders. In Dossey's construction, this diffusion was facilitated by the emergence of imperial elites as landowners in the region because, as absentees on a large scale, their interest lay principally in ensuring revenues from their land, and shares in the profits of these installations was one attractive means of doing so.²⁹ Certainly, the archaeological evidence seems to suggest that the production of pottery in the North African countryside was concentrated around estates through the second half of the fifth century CE. However, given the complexity of labour relations sketched above, it seems unlikely that wealthy estate owners were either willing or able to staff these installations entirely with slaves, labourers or tenants under their control. What, then, of the artisans and workers at these places?

We know relatively little about the weekly, monthly or annual cycle of ceramic production in North Africa. However, the very particular weather conditions required to process and, in particular, dry ceramics make it reasonable to assume that it was not a year-round activity. Moreover, we may imagine that the industry required both highly specialised skills among some of the individuals involved and a certain amount of less highly skilled labour to perform some of the less technical but still necessary functions that attended the process. Alongside proper preparation of the clay through levigation and other practices, the throwing and turning of the pots and the careful oversight of the firing process, for example, installations dedicated to the production of pottery would require a steady supply of fuel and food for both the potters and their labourers and any animals that were involved in carrying or preparing the pots themselves.

We may imagine, therefore, that those needs for both labour and supplies were met in part by the inhabitants of the surrounding countrysides. This is not to underplay the influence of the wealthy landowner who, we may assume, owned the land (and possibly the facilities) on which the pottery production took place. Nor is it to deny the technical expertise of a master potter, which would require specialist training that must have been gained through an apprenticeship of some sort. Nevertheless, it seems likely that, in a somewhat similar way to the production of local coarsewares, albeit with higher technical demands and proficiency, the dispersed ARS production sites of the late antique period were sustained by peasants and their households, families and resources.

29 Dossey 2010, 92–3.

These peasants also appear to have sustained – and been partially sustained by – a robust market in temporary and seasonal labour. This labour market may be glimpsed in Optatus of Milevus' diatribe against his Donatist opponents, where Optatus implies that a substantial number of underemployed individuals congregated in the *nundinae* that dotted the countryside around Bagaia.³⁰ A letter from a certain Publicola to Augustine adds another element to this picture when its author speaks of tribesmen from the surrounding hills taking on the role of crop guardians and baggage-train guards.³¹ Labour markets of this sort play an important role in the economic strategies of large landowners and small-scale agriculturalists alike.³² For the former, they provide flexibility and room to expand a labour force quickly and easily at certain times of the year. For the latter, meanwhile, they function as one among a multitude of complementary strategies for diversifying the economic activities of the household and thereby minimising risk. While the picture that we can reconstruct of risk-management strategies within and among the rural communities of the North African countryside is imperfect and refracted, we must nevertheless assume that these strategies provided both a complement and a counterpoint to interactions with the wealthier, more powerful figures whose written works constitute the bulk of our evidence for rural society in the period.

Tenants and Landlords

The close physical association of elite and non-elite dwellings, together with the assumption among aristocratic landowners that they possessed both the right and the obligation to direct the behaviour of their tenants, encourages an examination of the dynamics of interactions between these two groups in rural contexts in the period. As is common in predominately agrarian societies, those interactions rested principally upon the negotiation of strategies of economic exploitation of the land owned by the former and rented by the latter. These included transfers of produce and money, principally in the form of rent, but also as taxes in the late Roman period through the mechanism of *autopragia*, and relied on the extent to

30 Optatus, *De Schism. Donat.* 3.4.

31 Augustine, *Ep.* 46.1.

32 Banaji 1992, 379–81; Wickham 2005, 274–6; Grey 2011, 30; Grey 2012, 637–8.

which either party could leverage these two sets of economic transactions and transform them into mutually implicated social relationships – that is, relationships of patronage.

Tenancy and patronage are often conceptually related and mutually implicated in agrarian contexts, for both tenant/client and landlord/patron stand to gain by such an arrangement. However, our late Roman sources attest to a distinct blurring of the boundaries between the two, with the result that, in some circumstances, the impulse to act in the manner of a patron might be attributed explicitly and solely to the fact that an arrangement of tenancy exists between the two parties.³³ The casual manner in which some aristocratic landowners, at least, claimed dominance over their tenants has already been mentioned above. However, it is equally striking that the author of the *Epistula ad Salvium* immediately backs up his claim to dominance over his tenants (*ruricolae mei*) with sentiments that sound very much like the beneficence of a patron, or even a parent: ‘As if I could not comfort them, release them from fear, tell them there is less to fear than you claim’ (quasi vero illos nesciam consolari, et a pavore retrahere, et docere non tantum esse timoris quantum ipse praetendis).³⁴ Of course, the negotiation between dominance and protection is likely to have been somewhat fraught at times. Augustine remarks with disapproval upon the actions of a powerful landowner who, when entreated to protect a neighbouring smallholder from the predations of a creditor, forces his neighbour into selling him his property on advantageous terms.³⁵

Nevertheless, it is probably upon the foundations provided by the increasingly blurred boundary between tenancy and patronage – alongside the principles that accompanied the extension to landlords of the right to collect the taxes owed by their tenants – that both bishops and the late Roman state assumed that landowners could be held responsible for the religious sensibilities of their tenants. Augustine’s dissatisfaction with the actions of a Donatist bishop named Crispinus and the latitude granted him provides an especially robust and multidimensional case in point. It would seem that Crispinus had managed to rent some imperial estates as a *conductor*, and had thereby found himself in a position of influence – comparable to that of a landlord (*dominus*) – over the families of small

33 Consonance of tenancy and patronage: Grey 2011, 126–7.

34 *Ep. ad Salvium* 2.

35 Augustine, *Enarr. in Ps.* 39.28, with Dossey 2010, 178 and n. 30; also, for much broader discussion of the phenomenon, Krause 1987, 249–67.

tenants who inhabited and worked those estates. He promptly rebaptised these families and thereby earned the ire of the bishop of Hippo, even though Augustine had elsewhere expressed approval of the tactic when practised by his Catholic fellows.³⁶ Around the same time, an edict of Honorius both censures Donatist landlords and *conductores* who contrive to rebaptise their tenants and permits those tenants to flee to the nearest Catholic church for refuge in the event of a forced baptism.³⁷

We may reasonably ask whether the stakes in being rebaptised a Catholic or a Donatist were the same for the peasants in question as they appear to have been for bishops and the emperor. It is certainly not my intention here to return to arguments over Donatism as an expression of African nationalism or resistance, far less to reopen debate on the religious sensibilities or sincerity of peasants. But, as we shall see, evidence for rural communities notionally overseen by both Catholic and Donatist bishops in this period suggests that doctrinal convictions were not the only factors at play. Indeed, it is in interactions of precisely this sort that we encounter the likelihood that the rationality and motivations of peasants will diverge markedly both from those ascribed to them in our sources and from those attributed to them in modern scholarship.

Most particularly, it is worth considering the extent to which these tenants, clients and small landholders were helpless in the face of the actions of their more powerful neighbours, patrons and landlords. Alongside rhetorics of dominance, quasi-parental responsibility and protection, our sources offer both occasional hints that their tenants possessed a certain amount of agency in the interactions between them and fleeting moments where they appear to acknowledge or even accede to the requests or demands of those tenants. Augustine's handling of the affair of Antoninus of Fussala is a useful example.³⁸ Augustine tells the story in a letter to an aristocratic woman named Fabiola: a young man whom he had installed as bishop on a *castellum* abused the trust placed in him, extorting goods and services from the peasants resident there. When he had contrived to have himself installed as bishop over the tenants resident on yet another estate, the *fundus Thogonoetis*, the residents of that *fundus* resisted, instituting legal proceedings and writing several letters of complaint.

36 Augustine, *Ep.* 6; cf., for broader discussion and further references to the inconsistencies in Augustine's stance, Dossey 2010, 187–8.

37 *Cod. Theod.* 16.6.4 (405).

38 Augustine, *Ep.* 20*.

Augustine's actions in response, and those of the owner of the estate – an unnamed woman of (probably) senatorial rank – bear further exploration, for they complement actions already observed by landlords and patrons vis-à-vis their tenants and clients, and contrast with the rhetoric of dominance sketched above. It would seem that both found themselves caught between a rock and a hard place, with Antoninus on one side and the angry tenants on the other. For Augustine, of course, his reputation as an effective and caring bishop was at stake – and it is clear from his account that it had suffered badly with the residents of both Fussala and the *fundus Thogonoetis*. The landlord, meanwhile, stood to lose social capital and, potentially, also income if the tenants of her estate carried through on their threat to decamp were Antoninus imposed upon them. What is interesting about this situation is the calculus that both Augustine and the landlord clearly engaged in, evaluating the relative merits of siding with Antoninus or with the peasants who were in conflict with him. Striking also is the fact that there appear to be two competing versions of the landlord's position. Augustine claims that she vehemently opposed the imposition of Antoninus, implying that it was done without her knowledge. Antoninus' version of events is subtly different. According to Augustine at least, Antoninus claims that in fact not only did he ask the landlord to refuse the request to install him but she agreed to do so as a favour to him.

There is a certain amount of confusion and inconsistency here, not only in Antoninus' position but also, we may suspect, in Augustine's version of events. It is possible that one reason for this is the presence of another set of interests, for, at several points in the story, Augustine mentions bailiffs: one he describes informing the owner of the *fundus Thogonoetis* of the primate's understanding of the situation; another seems to be attempting to broker an agreement between Antoninus, Augustine and the inhabitants of eight other estates under Antoninus' control. It is therefore possible that, in addition to the tweaks of the truth made by both Antoninus and Augustine, these individuals were also implicated in both transmitting and diverting flows of information and power. Certainly, in other situations we observe bailiffs acting with a considerable amount of autonomy. The legislation of Honorius concerned with the baptism of tenants has already been noted, and this law allows for the possibility that a bailiff might do things without the knowledge of his landlord. Similarly, in a reproachful letter to a landlord named Romulus, Augustine suggests that Romulus may be ignorant of the fact that his tenants have their rents extracted from them

twice by his bailiff.³⁹ With this tactic Augustine gives his correspondent a convenient way to ‘pass the buck’, as it were. But he also hints at the opportunities that the role of bailiff could provide. Certainly, this role – with its double function as, on the one hand, a client or agent of the landlord and, on the other, potentially a fairly autonomous patron-cum-landlord figure over the tenants of the estate in question – appears to have become more attractive even to men of curial status in the period.⁴⁰

At any rate, both Augustine and the owner of the *fundus Thogonoetis* ultimately side with the tenants of the estate against the rogue bishop Antoninus. That they do so is some indication of their awareness of the fact that their power rested, at least in part, upon the willingness of those tenants to legitimate their authority. By acknowledging the grievances of these smallholders, both Augustine and the owner of the estate reveal that power relationships between rich and poor, powerful and relatively powerless, were not necessarily quite as one-sided and non-negotiable as they might have wished and as the rhetoric they and their peers espoused might suggest.

Flocks and their Bishops

The Fussala affair offers further hints of the complex dynamics of interactions between agricultural communities, their landlords and the Catholic and Donatist bishops who vied for their religious loyalty in the period, for, in his letter to Fabiola, Augustine reveals that one of his concerns for the residents of Fussala is that they had only recently been converted from Donatism. Scholars have long remarked upon the apparent enthusiasm with which both Catholic and Donatist camps installed bishops over the inhabitants of the North African countryside, including, in no small number of cases, communities with both Catholic and Donatist clerics.⁴¹ It is only relatively recently, however, that the agency of the communities themselves in these installations has been explored. Certainly, Augustine’s response to the complaints of the inhabitants of the *fundus Thogonoetis* (if not necessarily his process of consultation prior to installing Antoninus at Fussala) suggests that in some circumstances, at least, rural communities

39 Augustine *Ep.* 247; fuller discussion in Grey 2011, 142–3.

40 Grey 2011, 141–5.

41 Dossey 2010, 129–30 offers a summary of the scholarship and fuller references.

participated proactively in the processes whereby bishops came to serve in rural areas in the period. The impression is strengthened by the rhetoric of various church councils of the fourth and fifth centuries, which seem to assume that local communities were at the very least complicit in the creation of new dioceses and perhaps even actively contriving to become dioceses themselves.⁴²

What factors might have motivated such acts? A number of elements may be adduced. In the first place, the schism between Donatists and Catholics and the interest of both parties in reaching as much of the rural population of North Africa as possible provided an opportunity for rural communities to exploit potential figures of power and the church hierarchies that stood behind them.⁴³ The exploitation of this opportunity is arguably best seen in congregations possessing both Donatist and Catholic bishops in the period, the end result of which is likely to have been the annexation of two formerly disinterested outsiders to the group, who found themselves explicitly in competition with one another for the attentions of the communities in question. By creating and fostering competition between these two figures of power, those communities rendered themselves less vulnerable to subsistence risk and to the claims to dominance of other powerful figures in their vicinity. It seems likely also that there was an element of competition between communities. We may imagine that possessing a bishop – rather than simply a priest, or being part of another diocese – provided these communities with some symbol of status that they could flaunt before their bishopless peers. This status, and the individual who bolstered and signified it, may also have aided them in inter-community quarrels such as the disputes over property boundaries and water rights that Agennius Urbicus notes as so characteristic of communities in North Africa in the period.⁴⁴

Both the impulse to insure the community against risk or dominance and the desire to outdo neighbouring communities speak to a notion of collective self-identity that is glimpsed only occasionally in our sources. This is not to suggest that the rural communities of North Africa were as robust and self-aware as those of Syria or Egypt, and it is certainly the case that collective acts by rural communities in North Africa in this

42 Dossey 2010, 132–6.

43 Cf. Dossey 2010, 133: ‘the schism gave the local populations of North Africa a powerful bargaining chip’.

44 Agennius Urbicus, *De Controversiis Agrorum*, in Campbell 2000, 42–3.

period are exceedingly difficult to identify. But it is also the case that, in order to obtain a bishop, a community must self-identify in some way as a collectivity. In the context of ecclesiastical elections, this collectivity may be labelled the *ecclesia*, a confederation of *plebes* that had joined together to elect a bishop.⁴⁵ It is difficult to determine how these confederations formed or the extent to which they conformed to existing groupings, such as hamlets or villages, the tenants of a particular landlord or the members of a specific kinship group or tribe. It is difficult also to establish with any certainty how they participated in the selection and election of bishops, for the phenomenon of *suffragium populi* remains rather poorly understood. But what is becoming clear is that these groupings took their role as electors of bishops seriously, and at least some of the bishops in question did so too.⁴⁶

What is more, some Catholic bishops in North Africa appear also to have taken seriously the exhortations of church councils to employ persuasion rather than force in their attempts to return Donatists to the fold. In a letter possibly written by the same anonymous author responsible for the letter to Salvius discussed above, and plausibly referring to the Donatist Controversy, we catch glimpses of one such bishop employing rhetoric and argumentation in his engagement with heretical rustics and enjoying some degree of success in his efforts.⁴⁷ While we should be careful not to overstate the case it would seem that, in some circumstances at least, rural communities in North Africa successfully manipulated the rhetorics of power and authority that landlords and bishops sought to employ in making their claims to dominance and legitimacy. Those instances of negotiation were no doubt relatively fleeting and rather circumscribed. But they do, at least, suggest that peasants could actively engage in power relations in the period, rather than merely functioning as passive victims, audiences or tools of aristocratic competition.

The State and its Agents

Active engagement by peasants in the vocabulary of power espoused by the late Roman state can also be glimpsed from time to time. But we must

45 Thus Dossey 2010, 136.

46 Norton 2007.

47 Pseudo-Sulpicius *Ep.* 4, with Lepelley 1989, 252–7; Dossey 2010, 158–9.

imagine that instances of successful resistance or manipulation were not the norm. This is not necessarily to argue that the state was overwhelmingly exploitative of peasants in the period, although it is certainly the case that the apparatus of tax collection was, by and large, an invasive and rhetorically violent one, as well as being potentially rather violent in its reality. Rather it is to acknowledge that the balance of power in this particular interaction was rather heavily weighted in favour of the state.⁴⁸ That said, we must remember that, on the whole, peasants did not experience the state as an abstract, stand-alone entity, but, rather, as embodied or personified in an individual such as the local tax collector (whether imperial or municipal official or local landlord), the soldier charged with the task of ensuring that taxes are collected or the judge called upon to adjudicate in a dispute or legal case.⁴⁹

Certainly, North African peasants appear as imperial tenants and taxpayers in the legal sources and it seems reasonable to assume that, for many, this episodic obligation to pay their rents and taxes was the totality of their involvement with the state. However, an elaborate simile developed by Augustine, in the context of a sermon seeking to explain why Donatists should be pitied rather than despised for their heretical beliefs, offers hints that peasants need not always have been unaware of the state, nor were they necessarily powerless before it. Augustine seeks to cast the actions of these heretics as a search, above all, for security, and compares this search with the actions of a poor man who, in order to protect himself from the predations of more powerful figures, erects boundary markers on his field that carry the name of a powerful neighbour. Augustine seems to be referring to the small landowner's capacity to hide behind the reputation of this powerful figure when he observes:⁵⁰

For there are many people – with which we are well acquainted, for there are all sorts of examples – who, afraid of losing their own holdings, erect the markers of some powerful men, so that through that deed the one shall possess the land, and the other shall be the source of terror.

[Sunt enim multi – quod novimus, nam exemplis plena sunt omnia – qui timentes perdere res suas aliquorum potentium titulos figunt, ut per hoc factum, alius possideat, alius terreat.]

48 Wickham 2005, 62–72.

49 Grey 2011, 185–6.

50 Augustine, *Serm. Dolbeau* 4.2.

With this simile, Augustine appears to be arguing that, while the action is dishonest, its motivation is understandable. It is not at all clear from Augustine's simile whether he believes that the small landowner was deliberately seeking to evade his fiscal burdens or not. But, within the context of arguments about differing rationalities and motivations between peasants, their landlords and the state, we may imagine that, if the large landholder in question was successfully resisting his obligation to pay his taxes – as much legislation of the period assumes or accuses – a fringe benefit of this act would have been to insulate the small landholder against the demands of the tax collector.⁵¹ At any rate, while our evidence is opaque, dilatory or simply absent and we should imagine that rural communities and their inhabitants came into contact with the late Roman state only occasionally, it seems reasonable to suggest that small acts of resistance, instances of manipulation of the state's vocabulary of power or escape from obligations altogether were as possible for North African peasants as they were for the inhabitants of the villages, hamlets and scattered towns of the rest of the Mediterranean world in this period.⁵²

Conclusions: North African Peasants in their World(s)

The countryside of North Africa at the time of the Donatist Controversy was undeniably dominated by large, powerful landowners and extensive imperial estates. Nevertheless, the less wealthy inhabitants of that countryside display a robust, surprisingly refined material culture and appear to have been involved in economic activities beyond simply farming their small plots and tenancies. Most particularly, we may surmise that they contributed material and labour to the diffuse, dispersed pottery production sites that together constituted the ARS industry of the late Roman period. While they are barely visible to us as individuals, we catch glimpses of some small amount of socio-economic diversity within the hamlets, villages and agricultural compounds that dotted the North African landscape, and must therefore countenance the existence of mechanisms for regulating and managing that socio-economic diversity.

51 Cf. the arguments around the legislation *De Patrocinii Vicorum* summarised and discussed in Grey 2011, 207–12.

52 Fuller discussion in Grey 2011, 198–225.

Further, in their interactions with the powerful figures who both constitute the overwhelming majority of our written evidence and narrate for us their particular versions of the religious upheaval that is the subject of the present volume, the peasants of North Africa provide hints of their capacity to exploit rhetorics of dominance and beneficence, take advantage of competition between would-be figures of power and influence and turn to their own advantage the reputation and actions of their wealthier neighbours in their interactions with fellow-aristocrats and the state. To be sure, these small acts are flimsy foundations upon which to build an argument for the agency of the North African peasantry in the period. But, at the very least, they encourage us to take seriously the moments in our sources where bishops and landowners, both Catholic and Donatist, appear to take notice – sometimes with surprise, sometimes with disgust, sometimes with resignation – of their desires and their demands. Notwithstanding the slimness and narrow focus of the surviving evidence, we would do well to follow their lead.

***CIRCUMCELLIONES*, RURAL SOCIETY AND COMMUNAL VIOLENCE IN LATE ANTIQUE NORTH AFRICA**

Bruno Pottier

A long debate occurred during the nineteenth and twentieth centuries on the nature of the African *circumcelliones*. They were characterised in two different ways: as wandering ascetics or as wage harvesters. Shaw provided a new contribution to this debate in his important book on Donatism. Augustine of Hippo is supposed to have used the term *circumcelliones* wrongly for polemical purposes to describe *agonistici*, who would have been committed Christians gathered by Donatist bishops to fight against the Catholic church. For Shaw, this fact can be explained because *agonistici* were mainly drawn from *circumcelliones*, which he supposed, as Saumagne and Tengström have previously asserted, to be wage workers.¹ The Christian *agôn* was the fight with the Devil. This term was frequently used to describe martyrdom. Shaw, even as he proposed a purely religious definition of *agonistici*, allowed that they had a precise socio-economic background.

This thesis could be challenged. Optatus of Milevis in 366 and Augustine stated that *circumcelliones* refused this name as a pejorative label and defined themselves as *confessores agonistici*, those who had testified of their faith during a persecution.² According to Shaw, the term *circumcellio* could refer only to cellars where wage workers gathered agricultural products, mainly wine.³ An inscription at Koudiat Adjala, ten kilometres south-west of Sitifis, dated to 361 exemplifies also the use of *cella* to designate rural martyrs' shrines.⁴ The Donatist Tychonius denounced the habit of the *circumcelliones* of wandering around saints'

1 Shaw 2011, 65, 656–9. Former works on the subject, especially those of Saumagne (1934) and Tengström (1964), are only discussed in Shaw's appendix (2011, 837–9).

2 *Agonistici*: Optatus, *De Schism. Donat.* 3.4.2; Augustine, *Ep.* 108.6.18; *confessores agonistici*: Augustine, *Enarr. in Ps.* 132.3.

3 Shaw 2011, 636–7, 659–64.

4 *AE* 1965, 150; Y. Duval 1982, 1, 328–31, n. 156.

shrines.⁵ Augustine explicitly described them as people of rural origin who abandoned agricultural work.⁶ In fact, the term *circumcelliones* had no precise socio-economic background, but a purely religious definition. It was only a deprecatory name for *agonistici* wandering around martyrs' shrines for devotion or church granaries for subsistence.

Shaw gave two new arguments in favour of the Saumagne and Tengström thesis. He remarked that Augustine denounced the pretensions of *circumcelliones* to be harvesters of the Lord.⁷ In fact, Augustine used the parable of the Wheat and the Tares, which played a central role in the Donatist controversy. He referred to the disciplinary role that *circumcelliones* usurped in order to separate good and evil people and keep the Donatist church perfectly pure. For Augustine, the church was of a mixed nature. Good and evil Christians will be separated only at the judgement day by angels. Shaw remarked also that Augustine referred on one occasion to Donatist clergy as *mancipes* of *circumcelliones*.⁸ This term was indeed used in the famous inscription of Mactaris for leaders of gangs of wage harvesters. But Augustine merely intended that this metaphor using the vocabulary of social relationships denounce the responsibility of the Donatist bishops in the violence of the *circumcelliones*.⁹

Shaw postulated that Donatist bishops often used paid private enforcers who were called *circumcelliones*.¹⁰ There are, however, only two known examples of the use of private enforcers. Optatus evoked the use of hired men paid with wine in the violent Donatist expeditions against Lemellef and Tipasa in 362. He did not label them as *circumcelliones*. These militias could have been authorised by the authorities, who had permitted the Donatists to recover their basilicas. The governor of Mauretania Caesariensis was even present during the events of Tipasa.¹¹ Augustine mentioned only the involvement of *homines armati* gathered by the Donatist priest Crispinus in the assault upon Bishop Possidius of Calama in 403. Shaw supposed that they were *circumcelliones* hired by his parent the bishop Crispinus to work

5 Tyconius, *Commentarius in Apocalypsin*, 26, 3.

6 Augustine, *C. Gaud.* 1.28.32: *ab agris vacans*.

7 Augustine, *Ep.* 76.2; *Sermo* 47.18; Shaw 2011, 638–41.

8 Augustine, *C. Ep. Parm.* 1.11.18; Shaw 2011, 646.

9 Donatist clerics are also characterised by a military metaphor as *duces* of the *circumcelliones* (*Ep.* 105.2.3).

10 Shaw 2011, 382, 663.

11 Optatus, *De Schism. Donat.* 2.17–9; 6.1.

on the imperial domain that he leased.¹² This approach implicitly links labour relations to sectarian violence. Donatist bishops are supposed to have usually used wage harvesters already performing contractual agrarian work for them as church enforcers. However, Optatus and Augustine, who denounced the actions of the *circumcelliones* at length, would certainly have referred to their participation in the acts of violence of 362 in Lemellef and Tipasa and 403 in Calama. It is, in fact, difficult to understand why wage harvesters would have been the main agents of sectarian violence. Donatist ‘managers’ of violence could easily have found ‘hired muscle’ from others categories of rural or urban societies.¹³ Indeed, no urban *circumcellio* is attested. Shaw seems to have considered that the marginal way of life of wage rural labourers, who were in the main unruly youths who drank excessively, made them prone to violence. The Donatist schism would have merely presented them with some new opportunities.¹⁴

Circumcelliones and Rural Asceticism

Some new evidence could be proposed to support the identification of *circumcelliones* as ascetic groups. Calderone, Frend and Dossey¹⁵ based their argument on Possidius, who stated that the wanderings of *circumcelliones* were linked to a supposed ascetic norm (*sub professione continentium*).¹⁶ Shaw, quoting this text, admitted that some *circumcelliones* may have practised asceticism.¹⁷ A section of the *Contra Gaudentium*, written between 419 and 422, has never been mentioned in this debate. Augustine remarked that all *circumcelliones* who did not commit suicide now accepted religious unity, worked the land and practised chastity.¹⁸

12 Augustine, *C. Cresc.* 3.46.50; *Ep.* 105.2.4. See also Possidius, *Vita Augustini*, 12.3–4; Shaw 2011, 646–7.

13 Shaw 2011, 682.

14 Shaw 2011, 650. In another recent book Shaw (2013b, 38–92, 216–20) again developed these assertions. Lenski (2013) has amplified his conclusions.

15 Calderone 1967; Frend 1969; Dossey 2010, 195–206. For a more developed argument, see Pottier 2008, 44–70.

16 Possidius, *Vita Augustini*, 10.

17 Shaw 2011, 659.

18 *C. Gaud.* 1.29.33: Neque enim isti, qui pereunt, illorum saltem numero aequantur, qui ex ipso genere nunc iam tenentur ordine disciplinae colendisque agris amisso circumcellionum et opere et nomine inserviunt, servant castitatem, tenent unitatem.

Some *circumcelliones* continued after their forced conversion to keep their distinctive behavioural norms, for which they were praised by Augustine. They probably came originally from all strata of African rural society. Wandering ascetics were widespread in the later Roman Empire, as Caner has shown.¹⁹ Indeed, the term *circumcelliones* was used from the sixth to the twelfth centuries to characterise wandering Catholic ascetics in western Europe, as Shaw has himself remarked.²⁰ Augustine stated that *circumcelliones* had existed since the origins of the schism, well before Axido's and Fasir's deeds, and mentioned their involvement in the defence of Donatist basilicas transferred by Constantine to the Catholic Church in 316–7.²¹ Voluntary martyrdom was central to the identity of the *confessores agonistici*. This term was not a generic label for holy warriors but referred to people who had testified to their faith during a period of persecution.²² Augustine denounced *circumcelliones* for having frequently disturbed city-based pagan festivals such as hunting spectacles organised in amphitheatres by youth associations. *Circumcelliones* threw themselves upon the weapons of the *iuvenes* in order to stop these pagan festivals and claim the martyrs' crown. According to Augustine, these events took place in remote times, when paganism was dominant: that is, probably the first part of the fourth century.²³ As early as 315 Constantine in a letter to the vicar Domitius Celsus rebuked some Donatists for practising voluntary martyrdom, a type of violent behaviour not to be admitted under the rule of a Christian emperor. It was surely one of the reasons for the banning of Donatism in the following year.²⁴ Some Christians did not accept the Constantinian peace and were murdered in assaults against pagan shrines, such as in the case of Salsa of Tipasa. They could have already been called *agonistici* even if they lacked a proper organisation

19 Caner included *circumcelliones* in his work (2002, 230–3).

20 Shaw 2004.

21 Augustine, *C. Litt. Petil.* 2.10.14; *C. Ep. Parm.* 1.11.18. The second episode evoked refers to the ban on Donatism in 347. According to Shaw (2011, 655), Augustine wrongly attributed these acts to *circumcelliones* in order to discredit them. They would have been committed by 'circumcellion-like' groups. But this distinction, supposed to demonstrate that *agonistici* were holy fighters that only existed in Augustine's period, is rather artificial.

22 Augustine, *Enarr. in Ps.* 132.3 quoting Paul (II *Tim.* 4.6–8) for the definition of Christian *agôn*.

23 Augustine, *C. Gaud.* 1.28.32.

24 Text in Maier 1987, n. 26, 195–6.

at that time. The confiscation of Donatist basilicas by imperial troops in 316–7 provided a new occasion for suffering. The *agonistici* were a consequence of the voluntary martyrdom phenomenon, which was widespread during the Diocletian persecution and which was justified by the Donatist church. Secundus of Tigisis, the leader of the Numidian bishops' opposition to Mensurius of Carthage, especially rebuked him for defining voluntary martyrs as criminals or indebted people seeking by a noble death to avoid a just punishment.²⁵ Acceptance of voluntary martyrdom was one of the major issues of debate between Catholics and Donatists. But, in a commentary of the psalms written between 414 and 416, Augustine remarked that many Catholic parents taught their children to seek martyrdom. This text exemplifies the centrality of martyrdom in African Christian identities.²⁶

As early as Tertullian, asceticism was characterised as a preparation for martyrdom and compensation if it proved impossible to achieve.²⁷ Dossey remarked that the treaty *De centesima, sexagesima, tricesima*, wrongly attributed to Cyprian but written in the second part of the third century, enjoined all the baptised to imitate the angels, practise chastity and become *agonistae*.²⁸ They were supposed to rank high in the hierarchy of sanctity and to receive a sixty-fold reward, compared with the hundred-fold reserved to martyrs. A text shows that *circumcelliones* already had an ascetic self-definition before Augustine's time. Gennadius of Marseilles stated that Macrobius, a Catholic priest converted to Donatism and became bishop of Rome before 366, wrote an entire book on asceticism dedicated to *confessores* and virgins.²⁹ Catholics, for whom the time of persecutions ended in 305, could not use the term *confessores* thereafter, which probably referred in Macrobius' book to *circumcelliones* and *agonistici*. Macrobius and others Donatist clerics may have promoted asceticism among them to restrict voluntary martyrdom.

25 Augustine, *Brev. Coll.* 3.13.25.

26 Augustine, *Enarr. in Ps.* 108.17.

27 Tertullian, *De exhortatione castitatis* 10.2.

28 *PLS* 1.53–67; Dossey 2010, 281 n. 17.

29 Gennadius, *De viris inlustr.* 5: Macrobius presbyter et ipse, ut ex scriptis Optati cognovi, donatianorum postea in urbe Roma occultus episcopus fuit. Scripsit, cum adhuc in ecclesia dei presbyter esset, Ad confessores et virgines librum moralis quidem sed valde necessariae doctrinae et praecipue ad custodiendum castitatem aptissimis valde sententiis communitum. Claruit inter nostros primum Africae et inter suos, id est donatianos sive montenses postea Romae.

In an epitaph of the end of fourth century in the basilica of Tabarka, two consecrated virgins are said to have led a victorious *confessio* which gave them the crown of the martyrs.³⁰ This epitaph could be explained only if these virgins belonged to a group of *circumcelliones*. Augustine often mentioned the presence of *sanctimoniales* in these groups in order to denounce illicit sexual relationships between them, even if he referred in one of his letters of 395 to distinct herds of female and male ascetics.³¹ *Sanctimoniales* were always a concern for bishops, who tended to separate them from all masculine presence. One of the first decisions taken by Catholic bishops after the ban of Donatism by the Emperor Constans in 347 was to forbid them to live with men not belonging to their families.³² It was mainly, but not uniquely, a measure against *circumcelliones*. Macrobius' book was probably intended to help these groups to follow a strict asceticism. The third- or fourth-century African treaty *De singularitate clericorum* warned clerics against the dangers of spiritual weddings between ascetics, already evoked by Tertullian in the early third century.³³ Similar weddings may have existed among groups of *circumcelliones*.

Rural asceticism was a surprisingly widespread phenomenon in late antique North Africa. Augustine mentioned a particular *haeresis rusticana* in the countryside of Hippo comparable to oriental Encratites.³⁴ Inhabitants of numerous villages, who took the name of Abeloim, devoted themselves to a strict asceticism and adopted abandoned children to perpetuate their way of life. In Augustine's time this heresy was reduced to a single village. Abel, symbol of innocence, was the first martyr. The Abeloim were not Donatists, but linked asceticism and martyrdom as *circumcelliones* did.

Rural *sanctimoniales*, either Catholic or Donatist, are attested in North Africa from the beginning of the fourth century. The passion of the Thuburbo martyrs praised two rural ascetics, Maxima and Donatilla, who lived on an estate named Cephalitana in the Bagradas valley, for their heroic resistance to pagan persecutors in 304. All local Christians, even

30 *ILTun.* 1689; Y. Duval 1982, 1, 428–30, n. 207.

31 Augustine, *C. Ep. Parm.* 2.9.19; *C. Gaud.* 1.36.46; *Ep.* 105.2.3. Shaw (2011, 651) considers that the use by Augustine of the term *sanctimoniales* is only rhetorical, a way of condemning female *circumcelliones* as out of control. But this term refers to an ascetic norm, even if it was not effectively followed.

32 *Concilia Africae* a. 345–8 c. 3.

33 Tertullian, *De Virginibus Velandis* 10.4; *De Exhortatione Castitatis* 12.2. The attribution of this treaty to Macrobius by Tilley (1997b, 82–6) is rather hypothetical.

34 Augustine, *De Haeres.* 87.

the clergy, sacrificed to pagan gods.³⁵ These ascetics were celebrated by Donatists and Catholics alike. As Dalvit has shown, the Donatist version of this *passio* contains, however, an additional paragraph, inconsistent with the other parts, that describes the suicide of a young virgin, Secunda.³⁶ She threw herself through a window when she saw the party of arrested virgins and soldiers passing in front of her house. To ensure the coherence of this *passio* – as all the virgins were supposedly beheaded thereafter – Secunda miraculously landed without damage and was arrested by the soldiers. Some Donatist urban clerics, using this text in their sermons, could therefore legitimate the religious suicide of *circumcelliones* by claiming the legacy of the Great Persecution.

A document of the sixth century shows the valorisation of voluntary martyrdom at a later date, even long after the disappearance of *circumcelliones*. An epigraphic dedication, badly carved, from Testour, 15 kilometres from Thuburbo Maius, distinguished Secunda, referred to as a *bona puella*, from Maxima and Donatilla.³⁷ It may have been dedicated by the peasants of one of the large imperial domains of the Bagradas valley. These estates were subject to the domination of Arian Vandals and later returned to Byzantine imperial control in the beginning of the sixth century. Valorisation of martyrdom could have been, for these peasants, a way of maintaining a distinct religious identity throughout these political and religious changes. *Circumcelliones* are well attested in the Bagradas valley, especially at Membrassa in 418.³⁸

Surprisingly, Augustine mentioned numerous rural Catholic *sanctimoniales* without their families, such as Maxima and Donatilla seemed to have been. Some of them wandered from one estate to another, which could be dangerous. In 419 Augustine evoked the case of a *sanctimonalis* who had been recently installed to weave wool on the *Spanium* estate in the territory of Hippo. This *sanctimonalis* was raped by the local *procurator*.³⁹ The Catholic council of Hippo in 393 forbade *sanctimoniales* from wandering and recommended that they stay with their parents or with clerics.⁴⁰ A life wholly dedicated to wandering around martyrs' shrines,

35 *Passio Maximae, Donatillae et Secundae*, 1.

36 Dalvit 2009.

37 *ILTun.* 1297; Y. Duval 1982, 1, 32–4, n. 15.

38 Augustine, *Gesta cum Emerito* 9; *Ep.* 185.7.30.

39 Augustine, *Ep.* 15*.

40 *Reg. Eccl. Carth. Excerpt.* c. 44.

like *circumcelliones*, could have become a solution for some of them. In 395 Augustine mentioned the case of a Catholic sub-deacon of the same estate of *Spanium*, who, condemned for having intimate relations with two *sanctimoniales* living on this estate, converted with them to Donatism and fled in a group of *circumcelliones*.⁴¹ Catholic and Donatist female ascetics surely mingled on the same estates. Augustine devoted a whole book in 405–6 to criticising Catholic wandering ascetics who refused to work and expected to be fed by charity.⁴² It is possible that the term *circumcelliones* was commonly used in North Africa to qualify Catholic rural ascetics, even if it was restricted by Optatus and Augustine to Donatist groups for polemical purposes.

Female rural ascetics were often under the protection of their *domini*. Joining a group of wandering Donatist *sanctimoniales* might have allowed them to enjoy a religious life free from all bonds, especially from the colonate status. Augustine mentioned a daughter of a *colonus* of the Catholic church who became a Donatist *sanctimonalis* because her father forbade her from becoming an ascetic.⁴³ As a law of Theodosius of 393 stated, in a rural society dominated by colonate and *origo* bonds, to be a *vagus* was the equivalent of being *liber*.⁴⁴ For these ascetic women, a distinction between the two churches could have been less important than is generally expected. Catholic *sanctimoniales* receive frequent mention on estates where *circumcelliones* were attested. In 425–6 Augustine mentioned *sanctimoniales* on the *Caspaliana* estate in territory of Calama and on the *Victoriana* estate near Hippo, where they acted as servants of their *domina*.⁴⁵ On both these estates Donatist priests who had converted to Catholicism had been beaten by their former colleagues and by *circumcelliones* between 403 and 409.⁴⁶ These *sanctimoniales* could possibly, but not necessarily, have been former *circumcelliones* who had converted to Catholicism. These groups could have provided organisation and legitimisation of their way of life for these rural ascetics.

Augustine stated in the *Contra Gaudentium* (419–22) that all the *circumcelliones* who had not committed suicide practised chastity. The statement

41 Augustine, *Ep.* 35.2.

42 Augustine, *De opere monachorum* 21; 24; 28, 36.

43 Augustine, *Ep.* 35.4.

44 *Cod. Just.* 11.52.1.

45 Augustine, *De Civ. Dei* 22.8.8; 17.

46 Augustine, *C. Cresc.* 3.48.53; *Ep.* 105.2.3.

inserviunt agris shows that they had been reduced to the colonate status, and their religious wanderings were therefore forbidden.⁴⁷ The foundation of rural monasteries by Catholic bishops was a solution which allowed some *circumcelliones* to pursue a religious life under the firm control of the church. Eleusinus was a former Donatist landowner of the village of Thiava and a friend of Augustine, who had converted him. He donated one of his estates for the building of a rural monastery in 425. The priest Barnabas, who administered it, gained from Augustine the income of the *Victoriana* estate, which was probably located nearby. *Circumcelliones* were attested on this estate between 403 and 405.⁴⁸ Not long after 411, Melania the younger and her husband Pinianus, who were highly distinguished Roman aristocrats, founded two monasteries on the large estate they owed in the territory of Thagaste on the advice of Augustine and his friend Alypius. From those living on this estate 130 women and 80 men, a surprisingly high figure, were admitted into the monasteries. The Latin version of the biography of Melania mentioned the existence of two bishoprics on this estate: one Catholic, another dissident. Some of the ascetics from this estate were probably former *circumcelliones*.⁴⁹

The Usurpation by *Circumcelliones* of the Disciplinary Powers of Donatist Bishops

The use of violence by self-defined martyrs has caused a great deal of debate. Optatus of Milevis and Augustine mentioned that *circumcelliones* in the 330s or the 340s, led by Axido and Fasir, who termed themselves *duces sanctorum*, freed many slaves and punished with a rod landlords who had been unfair towards their dependent workers. Shaw strictly distinguished these acts of secular violence in the first part of the fourth century from sectarian violence against Catholic priests in Augustine's period, which is supposed to have been committed by *agonistici* drawn from groups of *circumcelliones*. Shaw considered that their aims were different. Secular motivations would have been purely material, whereas sectarian violence would have been focused on religious outcomes. According to Shaw, these two different forms of violence were artificially bound together by Optatus

47 Augustine, *C. Gaud.* 1.29.33 (text n. 18).

48 Augustine, *Serm.* 356.15; *Ep.* 105.2.3.

49 *Vita Melaniae* 21.

and Augustine in order to discredit Donatist *agonistici*. Axido and Fasir are supposed to have led a ‘jacquerie’, a traditional peasant insurrection, but such insurrections were not as common in the later Roman Empire as Shaw asserted.⁵⁰

It is, however, possible to find some coherence in the actions of *circumcelliones* from the fourth to the fifth century. Augustine did not refer to a single death caused by *circumcelliones* until 411. Optatus of Milevis stated that Axido and Fasir sent letters, obviously in Latin, to landowners accused of misconduct. They ordered them to follow their decisions – *iussiones* – which mainly covered debt cancellations and slave liberations.⁵¹ Only those who rejected their orders were scourged and publicly humiliated. These actions have no known parallel. However, Donatist and Catholic bishops frequently send disciplinary letters to enforce charitable correction of the sinners.⁵² In the famous inscription of the *saltus Burunitanus* in the Bagradas valley, the Emperor Commodus ordered a *conductor* and a *procurator* of that estate to stop their abuses against *coloni*, especially the *operae* ordered above the *perpetua forma* and the illegal flogging of Roman citizens by *fustes*.⁵³ It could have been more difficult for peasants’ petitions to gain access to the emperor in the fourth century, especially in estates with emphyteutic leases. Axido and Fasir’s letters and *iussiones* – a legal term – could have been inspired by imperial rescripts. Optatus was well aware of this fact when he denounced their illegal *iudicium* and *imperium*.⁵⁴ Axido and Fasir seemed to have usurped the language of state power.

Bishops usually fought against usury as a moral sin.⁵⁵ It was a major issue for rural societies. Constantine even permitted rural loans with total interest of 50 per cent in the eastern part of the empire.⁵⁶ John Chrysostom

50 Shaw 2011, 773–83.

51 Optatus, *De Schism. Donat.* 3.4: Debitorum chirographa amiserant vires, nullus creditor illo tempore exigendi habuit libertatem, terrebantur omnes litteris eorum qui se sanctorum duces fuisse iactabant, et si in obtemperando eorum iussionibus tardaretur, advolabat subito multitudo insana et praecedente terrore creditores periculis vallabantur ut qui pro praestitis suis rogari meruerant, metu mortis humiles impellerentur in preces. See also Augustine, *Ep.* 185.4.15.

52 For example, the letter sent by the Donatist bishop Parmenian of Carthage to Tychonius, discussed by Ebbeier in this volume (284–96).

53 *CIL* VIII 10570.

54 Optatus, *De Schism. Donat.* 3.4.5.

55 Dossey (2010, 180–4) gave examples of anonymous African sermons against usury which could have inspired *circumcelliones* social actions.

56 *CTh.* 2.33.1 (325–6).

denounced Christian landowners in Syria who proposed loans to their peasants in periods of hunger at a similar interest rate, which was greatly over the legal interest of 12 per cent.⁵⁷ *Circumcelliones* constrained Christian *possessores* to be charitable towards their dependent workers, although they probably only suppressed high rate loans and liberated children who had been sold by their parents into temporary slavery to cover debts. Manumissions of slaves were cases dealt within the bishops' *audientia* according to the jurisdiction *de liberalis causa*. Augustine defended, for example, as an act of Christian charity, the sons of an *actor* of colonate status because his landlord reclaimed them as slaves.⁵⁸ Landlords, indeed, tended to consider as permanent slaves children whose work was temporarily rented.⁵⁹ The *circumcelliones* could have been a response to a fear of a loss of juridical status by African peasants, which is likely to have been more present in the fourth century. They could have even justified their acts by the legislation of Constantine himself: who sent a law to the vicar of Africa in 322 which permitted African peasants to access the state granaries in order to deter them from selling or killing their children in periods of hunger.⁶⁰

Liberation of persons illegally reduced to slavery was a concern shared by African Christian communities. In 428, Augustine presented the liberation of 120 illegal slaves by his parishioners of Hippo as an act of Christian charity.⁶¹ It was, however, an illegal act involving violence against slave dealers. Optatus explicitly stated that fugitive slaves fled to benefit from *circumcelliones'* illicit patronage,⁶² a crime condemned by contemporary legislation and literature. He also denounced the *auxilium* and the *defensio* they offered. These actions exemplify the peasants' ability in the later Roman Empire to have recourse to competing patronages, as Grey has recently emphasised.⁶³ The intervention of ascetics in trials was not uncommon in other parts of the Empire; an eastern law of Arcadius of 398 condemned bishops who could not prevent monks from attempting to free some convicts that they perceived to be innocents.⁶⁴

57 John Chrysostom, *Homily on Matthew* 61.3.

58 Augustine, *Ep.* 24*.

59 *CTh.* 5.10.1 (329).

60 *CTh.* 11.27.2.

61 Augustine, *Ep.* 10*.7.

62 Optatus, *De Schism. Donat.* 3.4: ad illorum patrocinium confugisset.

63 Grey 2011.

64 *CTh.* 9.40.16.

Dossey emphasised the disciplinary function of *circumcelliones*' violence. Shaw gave the same analysis for sectarian violence in Augustine's time, but not for the secular violence committed by the followers of Axido and Fasir.⁶⁵ It is, however, possible to find some continuity in the aims of the *circumcelliones*. They usurped not only the patronage function of Donatist bishops but also their legal and judicial power. Committed with a rod called *Israel*, these acts of violence had in fact a religious signification which explained their inherent limitations.⁶⁶ They could be interpreted as a radical form of public penance in front of rural communities. Callinicus praised the fifth-century Constantinopolitan monk Hypatius for his zeal against sinners, even saying that only the violent could own the Kingdom of God.⁶⁷ Optatus stated that in 362 some Donatist bishops forced Catholic clerics and lay people to make harsh public penance which left them broken in Carpi, Lemellef and Tipasa. It was probably intended as a means of reintegrating former Donatists who had converted to Catholicism during the persecution of Constans.⁶⁸ The *circumcelliones* wanted to create their own conception of a perfect Christian society in which all behaviour that they judged immoral was repressed. Victims had to submit to the community or be excluded from it. Possidius of Calama stated that it was mainly Donatists who suffered from the violence of the *circumcelliones*.⁶⁹ Optatus and Augustine would have surely indicated, as an example of religious intolerance, if the beatings ordered by Axido and Fasir had been restricted to Catholic landowners.

A text seldom quoted shows the coherence of the actions of *circumcelliones* from the fourth to the beginning of the fifth century. In a letter to Catholics written in the spring or summer of 404 Augustine rebuked *circumcelliones*, characterised as *inordinati*, for the usurpation of the *potestas* of state officials.⁷⁰ He felt the need to recall that they could not even punish *mali homines*, who deserved a legal judgement. These *mali homines* could have been, as in Axido and Fasir's period, *possessores* who were not charitable towards their dependent workers. Augustine seemed to have thought that some Catholics had to be deterred from supporting their actions. He also refuted that their acts were legitimate disciplinary

65 Dossey 2010, 175–80; Shaw 2011, 704–8.

66 Augustine, *Ps. contra Part. Donat.* 162: *Fustes Israheles vocant; Enarr. in Ps.* 10.5.

67 Callinicus, *Vita Hypatii* 30.13 quoting *Matth.* 11, 12.

68 Optatus, *De Schism. Donat.* 2.21; 24; 26.

69 Possidius, *Vita Augustini*, 10: *nec suis, nec alienis aliquando parcebant.*

70 Augustine, *Ep. ad Cath.* 20.53–4. The dating is by Hombert 2000, 190.

punishments, such as beatings that could be dealt out by fathers to their sons and by *domini* to their peasants. The violence of the *circumcelliones* probably extended to other forms of misconduct, such as breaches of sexual morality. Sectarian violence committed in the same period – primarily humiliations and beatings of Donatist clerics who had converted – was not markedly different. One case had already been attested as early as 403.⁷¹

Some Donatist bishops seemed to have held a particularly extensive conception of their disciplinary powers within their communities. In 320 Silvanus of Cirta excommunicated and stoned one of his clerics, Nundinarius, who did not respect his authority.⁷² Primianus of Carthage was condemned by Maximianist bishops, in an internal Donatist schism, for having stoned some of their clerics and beaten the *seniores laici* who had supported them.⁷³ These acts were not exceptional abuses committed by irascible dissident bishops. Some of these bishops compared themselves to ancient Jewish prophets.⁷⁴ Violence could be used to exclude or, as penance, to reintegrate. On the other hand, Donatists seemed to have preferred to transfer many cases, especially patrimony quarrels, from municipal courts to the *audientia episcopalis*.⁷⁵ Optatus of Thamugadi was accused by Augustine of having oppressed widows and orphans, cancelled marriages and forced landowners to sell their patrimony. For Augustine, he was a tyrannical bishop, a new emergent *topos*, and his deeds were exactly paralleled with the violence of *circumcelliones*.⁷⁶ However, he was never condemned by other Donatist bishops. This extensive conception of the disciplinary functions of the bishops could have led some Donatists to legitimise their violent actions.

Some Catholic bishops, however, had the same conception of disciplinary punishments. Trifolius, bishop of Abora, openly asserted at the Conference of Carthage in 411 that in his city each person claiming to be a Donatist was stoned.⁷⁷ Beatings were commonly used in Augustine's monasteries to punish monks.⁷⁸ In a letter written between 423 and 429

71 See n. 116.

72 *Gesta apud Zenophilum* frag. 19 b.

73 Augustine, *Enarr. in Ps.* 36.2.20.

74 Augustine, *C. Gaud.* 1.34.44.

75 Donatists seemed to have respected the Pauline precept that Christians ought to solve their disputes in the Church (I *Cor.* 6.4.4).

76 Augustine, *C. Ep. Parm.* 3.3.18; *Ep.* 43.8.24; *C. Litt. Petil.* 2.23.53.

77 *Gesta Coll. Carth.* 1.133.

78 Augustine, *Ep.* 20*.5.1.

Augustine defended four clerics of Thagaste for having scourged a young curial who had raped a *sanctimonialis*.⁷⁹ He tried to justify the use of this disciplinary punishment because it was a lesser one, usually meted out to people dancing in the churches, even if the level of violence was very different in these two cases. He mentioned the usual avoidance of trial for rape by people of curial origin who could benefit from the protection of *potentes*. Scourging also had a pedagogic role in order to deter future divine punishment from the victim. Accepting this type of castigation and penance could allow him to benefit from the clemency of God. Augustine obviously tried to protect these clerics from a criminal trial. However, this justification could have been produced by *circumcelliones*. Violence against high-status victims could be defined by Augustine either as illegal and monstrous or as tolerable, if not justified, depending upon whether *circumcelliones* or Catholic clerics were involved. As Grey has remarked, Augustine claimed a right for the church to use corporal punishment if such a use was consistent with Christian moderation, even if it interfered with state authority. Illegal violence had to be distinguished from mere force, which could be lawfully used by private persons in the domestic sphere as *disciplina* or by magistrates as *coercitio*.⁸⁰

The usurpation by *circumcelliones* of bishops' authority was a consequence of the Donatist ecclesiology. Axido and Fasir, defining themselves as *duces sanctorum* and leading men devoted to voluntary martyrdom, could have gained an authority comparable or superior to that of Donatist bishops, who were supposed to be the martyrs' sons. For Augustine himself, martyrs had to be qualified as the *principes* or *duces* of the church.⁸¹ According to the Abitina *passio*, which held a special importance in Donatist identity, lay and clerical *confessores* jailed in Carthage organised a council in 304 which excommunicated *traditores* and their followers. Martyrs were therefore supposedly capable of judging bishops by anticipation of their role in the Last Judgement. Marianus, Numidian *lector* and martyr in 259, dreamt in prison that he was chosen by Cyprian to become his *assessor* in paradise.⁸² *Circumcelliones* had probably the same conception of their judicial power. Since the third century *confessores* had enjoyed a special status in North Africa, where they were seen as the best candidates for

79 Augustine, *Ep.* 9*.

80 Grey 2013, 222–6.

81 Augustine, *Enarr. in Ps.* 67.36.

82 *Passio Mariani et Iacobi* 6.5; Shaw 2003.

the priesthood.⁸³ Cyprian denounced some of them who usurped bishops' functions and forgave *lapsi*.⁸⁴ It was the Donatist bishops who called for the intervention of the count Taurinus against Axido and Fasir because they refused their disciplinary authority.⁸⁵ These two *duces sanctorum* were in fact leaders of the first Donatist internal schism.

In the first half of the fourth century bishops were rare in south Numidia. They were established mainly in the few cities located on the Lambaesis–Tebessa road. It could have been difficult for peasants from distant estates to ask for protection from these bishops or from urban magistrates. *Circumcelliones* thus filled a power vacuum. According to Optatus, many of them were executed at Octava in the 330s or 340s by count Taurinus.⁸⁶ This *locus*, probably on an imperial estate, was an early bishopric established before 256. It was probably a Donatist bishop of Octava who asked for the intervention of the army against *circumcelliones* who did not respect his *auctoritas*. As Dossey has remarked, large estates and *castella* in Numidia were frustrated communities.⁸⁷ Few of them gained promotion to municipal status in the late third or fourth century. Their local elite, the *seniores*, seems not to have played an important role.⁸⁸ *Circumcelliones* could be considered as a new rural elite, but a wandering one that did not interfere regularly with village life and politics. They were probably fed by the various rural churches during martyrs' celebrations, according to the saints' local calendar, which made it easier for communities to sustain them. Augustine referred on one occasion to *circumcelliones* as *iuvenes*.⁸⁹ Their suicidal actions during pagan festivals, probably before the ban of Donatism in 347, were directed against amphitheatre spectacles. They were a central component of the civic traditional identity.⁹⁰ Young *circumcelliones* thus opposed pagan *iuvenes*, the city-based associations led by municipal elites.

The cult of the martyrs enjoyed an extraordinary development in North Africa, especially in Numidia, in the fourth century. Celebrations

83 Cyprian, *Ep.* 27.1; 54.3; *De Lapsis* 6.

84 Cyprian, *Ep.* 31.3; 39.1; 40.1.

85 Optatus, *De Schism. Donat.* 3.4.3–6: huiusmodi homines in ecclesia corrigi non posse.

86 Optatus, *De Schism. Donat.* 3.4.

87 Dossey 2010, 101–24.

88 As in the trial in 422 of Antoninus of Fussala (*Ep.* 20*.10; 20).

89 Augustine, *C. Ep. Parm.* 1.11.17: ebriosorum iuvenum greges.

90 Augustine, *C. Gaud.* 1.28.32.

of the saints were the only communal feasts in villages, which seemed to particularly seek the patronage of local saints, denoting their aspirations to autonomy. Martyrdom or the mere suicide of *circumcelliones* could have provided adequate relics. Optatus of Milevis recorded that a Donatist priest of *locus Subbulensis* buried followers of Axido and Fasir in his church against the will of his hierarchy before 347.⁹¹ Former members of these groups, celebrated as martyrs, were supposed to be permanently present in local communities by way of dreams and visions.⁹²

An epigraphic document discovered in a Donatist basilica in south Numidia at Henchir Bou Saïd displays a chained man with long hair carrying a rod under his left arm. Paul Monceaux rightly interpreted this document in 1909 as an example of the cult of *circumcelliones*.⁹³ The inscription *Donatus Milex* could be read as *Donatus, miles Christi*. Augustine remarked that *circumcelliones* defined themselves as *milites Christi*.⁹⁴ The *fustis*, as Michael Speidel has shown, was a symbol of soldiers' disciplinary power often represented in funerary monuments.⁹⁵ It was also a symbol of the authority of the rural priests of Saturn, as recent discoveries at Fom Ktiba, 15 kilometres south of Mascula, have shown.⁹⁶ *Circumcelliones* could be compared to the pagan religious associations or *sodalitates* that were frequent in Roman North Africa and constituted a part of the lesser elites of the villages in the early Roman Empire.

Rural and Urban Sectarian Violence in the Time of Augustine

Circumcelliones, at least in south Numidia, had a coordinated leadership during the period of the *duces sanctorum* Axido and Fasir. They already had good relations with the rural clergy, as the case of the priest of the *locus Subbulensis* indicates. At the end of the fourth century they seem to have lost their autonomy and to have been settled in local churches. Augustine frequently denounced the involvement of Donatist rural clergy in their acts

91 Optatus, *De Schism. Donat.* 3.4.7.

92 According to Augustine, Donatists frequently received dreams and visions from their specific saints (*Ep. ad Cath.* 19.49).

93 *ILC* 2051; Y. Duval 1982, 1, 439, n. 266.

94 Augustine, *Enarr. in Ps.* 132.6.

95 Speidel 1993.

96 Benseddik 2006.

of violence,⁹⁷ but he also mentioned the existence of an internal hierarchy in *circumcelliones* groups, which were led by *principes*.⁹⁸ Control of ascetics was a particular concern for Catholic and Donatist clergy. *Circumcelliones* seem in fact to have been partly integrated into the organisation of Donatist rural churches. The need for *circumcelliones* to be fed by the clergy's charity as Christian *pauperes* could partly explain this evolution. Augustine gave two concrete examples of Catholic rural deacons who rejoined their ranks: Primus in 395 and Donatus, a former *colonus* of the church, not long before 411.⁹⁹ The presence of clerics in groups of *circumcelliones* denotes a blurring of distinction between clergy and lay people. Augustine recognised in a letter of 401 that Donatist clerics habitually practised chastity.¹⁰⁰

The social status of rural clerics was diverse, although better documented for the Catholic church. Some were *coloni* subject to their landowners.¹⁰¹ Others were of intermediary status, capable of Christian euergetism. The Catholic Council of Carthage in 397 condemned rural priests who induced their parishioners, by offering them feasts, to ask for the transformation of their community into independent bishoprics.¹⁰² Augustine mentioned many Catholic clerics with some intellectual skills who wandered from one village to another to seek better employment.¹⁰³ Rural communities seemed to have preferred ascetics clerics. Augustine denounced the favour offered by them to former monks, even fugitives ones.¹⁰⁴ These rural clerics were probably no different from their Donatist counterparts. Some of them may even have been former *circumcelliones* who had become sedentary, which may have reinforced the existing links between them.

On the other hand, there is no explicit mention of Donatist bishops using groups of *circumcelliones*; most of them did not support their violent actions.¹⁰⁵ They seemed in some cases to have lost control over their rural clerics and *circumcelliones*, especially after the ban of Donatism

97 Clerics are supposed to have been their *duces* (Augustine, *Ep.* 105.2.3).

98 Augustine, *C. Ep. Parm.* 1.11.17; *C. Litt. Petil.* 2.14.33.

99 Augustine, *Ep.* 35. 2; 139.

100 Augustine, *Ep.* 61.

101 For example, see Augustine, *Ep.* 139.2.

102 *Cod. Can. Eccl. Afr.* 53.

103 Timothy's case: *Ep.* 62–3.

104 Augustine, *Ep.* 60. 2 (402); *Ep.* 84, 2.

105 Augustine, *De Haeres.* 69.4; Possidius, *Vita Augustini*, 10.6. In a letter to Maximinus, Donatist bishop of the *castellum* of Siniti, Augustine recognised that he was not

in February 405. Macrobius of Hippo tried in 410 without success to stop aggression against Catholic clerics' houses and basilicas and offered compensation for the damage. He experienced great difficulty in asserting his authority over *circumcelliones* who could not even understand his preaching in Latin.¹⁰⁶ The creation of numerous Donatist bishoprics on rural estates and *castella* during the fourth century may have been a response to the demands for greater autonomy, but was also a means to achieve better control over rural clergy and *circumcelliones*.

Shaw has made a thoroughly irreplaceable study of each occurrence of Donatist sectarian violence and its precise meaning, but some of his assumptions may be challenged. He emphasised the responsibility of 'entrepreneurs' or managers of violence, clerics or sometimes landowners, using gangs of committed *agonistici*, even if he recognised some kind of autonomy for them.¹⁰⁷ However, no precise occurrence of landowners' involvement in Donatist violence is recorded. Shaw supposed, logically with his symmetrical thesis, the existence of Catholic gangs of church enforcers. They are not mentioned except in the case of Antoninus of Fussala, who used a militia led by a former soldier, probably organised to protect him from Donatists' assaults. Fussala was previously an entirely dissident community in which Catholic priests were habitually assaulted.¹⁰⁸ Catholics limited themselves to protecting their clergy from Donatist violence.¹⁰⁹ Actions of the *circumcelliones* could only be explained if they were legitimatised by their distinct ascetical and near clerical status. Similar groups are not attested in the Catholic church. Shaw supposed that gangs of Catholic and Donatist enforcers were organised by bishops in the 380s or 390s to assault pagan temples. These groups are supposed to have been the main agents of sectarian violence between the two churches some years later. Augustine accused *circumcelliones* in 399 of having destroyed many pagan shrines, but these actions could have taken place long before, in the first part of the

involved in the violence of the local *circumcelliones* (*Ep.* 23.6–7). A Donatist council forbade religious suicide (Augustine, *C. Cresc.* 3.49.54; Shaw 2011, 671).

106 Augustine, *Ep.* 108.6.18–9.

107 Shaw 2011, 668–70.

108 Augustine, *Ep.* 20*, 6; 209.2.

109 Marcus of Caspaliana (*Ep.* 105.2.3) and Maximianus of Bagaï (*C. Cresc.* 3.43.47; 185.5.27) were protected by local Catholics who were not organised into specific militias.

fourth century.¹¹⁰ Gangs of Catholic enforcers organised against pagan cults are not attested.¹¹¹

The violence of the *circumcelliones* seemed to have been restricted to Donatist clerics who had converted. Augustine often claimed assaults against Catholic clergy, but gave only two concrete examples: the alleged ambush organised against him in 403¹¹² and the scourging of the Catholic bishop of *Thubursicum Bure* and of one of his priests in the same year, which was linked to their successful recovery of a Donatist basilica.¹¹³ No *circumcelliones* are explicitly attested in the assault organised by a Donatist priest against Possidius of Calama in 403.¹¹⁴ On the other hand, Augustine mentioned seven examples of Donatist clerics who had been converted and who were wounded by former colleagues and *circumcelliones* between 403 and 418. The Donatist priests' and *circumcelliones*' acts of violence were mainly directed towards peers as a form of clerical internal discipline. They were not usually aimed against the Catholic church. No landowners, even those imposing conversion upon their *coloni*, or any other laypeople are recorded to have been beaten by *circumcelliones* as a result of their Catholicism. Donatist peasants seemed to have been rather passive after the ban of Donatism in February 405. Augustine mentioned *coloni* and fugitive slaves incited by clerics to oppose their landowners but made no reference to open confrontations.¹¹⁵ Clerics and *circumcelliones* were the main agents of Donatist violence in the countryside.

Their assaults against priests converted to Catholicism evolved considerably between 403 and 418 and so cannot be treated as a whole. Maximianus of Bagai in 403 and Restitutus of the *Victoriana villa* between 403 and 405 were beaten and humiliated in front of their communities.¹¹⁶ These acts do not differ from those committed against landowners in the time of Axido and Fasir. They could be interpreted as public penance

110 Augustine, *C. Gaud.* 1.28.32.

111 Shaw 2011, 235–40; 709–10. In the Sufes case, Augustine (*Ep.* 50) evoked the mutilation of a pagan statue by a crowd of Christians. No specific group of zealous Catholics is mentioned.

112 Augustine, *Ep.* 88.6; 8; *C. Cresc.* 3.42.46.

113 Augustine, *C. Cresc.* 3.43.47; 50.

114 Augustine, *C. Cresc.* 3.46.50; *Ep.* 105.2.4; Possidius, *Vita Augustini*, 12.3–4.

115 Augustine, *Ep.* 108.6.19.

116 Augustine provided a chronological summary of these acts of violence (*C. Cresc.* 3.43–8.47–53). He stated that the case of Restitutus preceded the laws enforcing Church unity. See also *Ep.* 88.6; 105.2.3; 185.27.

intended to reintegrate these clerics without their ecclesiastical honour. They were probably a reaction to the decision of the imperial court in 403 to publicly support Catholicism, announcing a persecution in the near future. The disciplinary functions of the *circumcelliones* were directly intended to forbid interventions of the state power in religious matters. The banning of Donatism in 405 does not seem to have caused a substantial multiplication of acts of violence, but, rather, an evolution of their nature. Only two explicit cases are known between 405 and 409: the beating of Marcus of Caspaliana and the stoning of a sub-deacon of the bishop Marcianus of Urga, which recalled the violence of Silvanus of Cirta in 320 against one of his deacons.¹¹⁷ Stoning, displayed in the Old Testament as a punishment for apostasy, was a symbolic death penalty.¹¹⁸ Its use denotes a worsening of Donatist violence. It is not surprising that the Donatists clerics involved in this crime endured a special punishment, the destruction of their houses. Clerics who were converted to the Catholic church were seen by their former colleagues as *traditores*, traitors, who were equal to the *lapsi* of the Diocletian persecution. The Donatist church was supposed to be closed; no clerics could leave it without being judged by clerics and *circumcelliones* and prevented from keeping their ecclesiastical honour in either church.

Augustine mentioned several times between 406 and 409 that *circumcelliones* and Donatist clerics had thrown lime and vinegar in the eyes of some Catholic counterparts. No concrete examples were provided, however, probably either because these acts were uncommon or because they were not committed in Hippo's diocese.¹¹⁹ The victims, obviously supposed to be blind to the truth, may have been converted Donatists. After 411 the violence of the *circumcelliones* evolved and no more beatings were recorded. Restitutus, probably the priest of the *Victoriana villa* who converted between 403 and 405, was murdered and another priest, Innocentius, was mutilated, losing one of his eyes and a finger during night assaults in 411–2.¹²⁰ In 418 Rogatus, a former Donatist bishop, had one of his hands cut off and his tongue cut out.¹²¹ These mutilations, signs

117 Augustine, *Ep.* 105.2.3 (409); *Gesta apud Zenophilum* frag. 19 b. These two cases are described by Augustine as recent. They were not integrated in the summary of the acts of violence of the *circumcelliones* inserted in the 406 or 407 *Contra Cresconium*.

118 *Deuteronomy* 17, 2–7.

119 Augustine, *C. Cresc.* 3.42.46; *Ep.* 88.8; 111.1.

120 Augustine, *Ep.* 133.1; 134.2; 139.2.

121 Augustine, *Gesta cum Emerito* 9; *Ep.* 185.7.30.

of the despair of some *circumcelliones* after the Conference of Carthage of 411, were intended to prevent these clerics from preaching. Donatus, a former *colonus* of the Catholic church and deacon, was involved in the murder of Restitutus. Surprisingly, Donatus had converted not long before 411 to Donatism. Some extremist *circumcelliones* devolved from public metaphoric and symbolic violence, designated to humiliate publicly and reintegrate their victims, to covert physical elimination and exclusion of traitors, ranging from disciplinary punishment linked with penance to religious terrorism.

The violence of the *circumcelliones* was mainly defensive. It could deter the transfer of Donatist basilicas to the Catholic church.¹²² As Gaddis has shown, religious violence in late antiquity often had the function of protecting the boundaries of a distinct community.¹²³ But *circumcelliones* also defended a Donatist principle, the impossibility of alienating basilicas and the patrimony of the church, which was especially important for the control of relics. According to Donatus of Cilium, in 411 the Donatists were denied access to the shrines of their martyrs, especially Marculus at Vegesala.¹²⁴ Protecting church patrimony was also a question of survival for *circumcelliones*. At Bagaï in 347 *circumcelliones* gathered around Bishop Donatus to protect his basilica and the *publici horrea* that he created out of fear of imperial confiscation. Donatus probably organised these *horrea* to feed the Christian *pauperes* with *circumcelliones* claiming this status.¹²⁵ Augustine said that the recovery of the Donatist church's patrimony permitted the conversion of the schismatic *pauperes*.¹²⁶ This could explain the rapid disappearance of the *circumcelliones* after 419–22.

Donatist violence was mainly rural. Surprisingly few sectarian acts of violence in the African cities are recorded between 405 and 411. In the Conference of Carthage of 411 Catholics claimed 286 Episcopal sees and Donatists 285. All the bishops, called in turn to be identified, had the chance to present themselves as victims of violence and persecution. Only seven cases, however, were explicitly recalled at this occasion. Some were property assaults. The bishop Deuterius of Gratianopolis in Mauretania Caesariensis accused the Catholics of destroying his basilica. Petilianus

122 Augustine, *Ep.* 23; 108.6.19.

123 Gaddis 2005, 103–30.

124 *Gesta Coll. Carth.* 1.133.

125 Optatus, *De Schism. Donat.* 3.4.

126 Augustine, *Ep.* 185.36.

of Cirta was supposed to have smashed all the Catholic altars in his city.¹²⁷ Cresconius of Pudentiana, near Vegesala in Numidia, was accused of destroying four Catholic basilicas and to have plundered them of all furniture.¹²⁸ The cases of Petilianus and Cresconius referred probably to the temporary recovery of confiscated basilicas in 408.¹²⁹ As in 362, Donatists felt themselves obliged to purify these sites by destroying the altars and even washing the walls, which could be interpreted metaphorically as forms of destruction.¹³⁰ On the other hand, most of the Catholic bishops' confiscations of basilicas seemed to have been performed by municipal or state *apparitores*, who were not violently opposed by urban Donatists.

Violence against urban priests was uncommon. The Donatist bishop of Quiza in Mauretania Caesariensis is supposed to have died as a consequence of persecution, which may refer metaphorically to illness caused by desperation.¹³¹ The Catholic bishop of Rotaria, near Thibilis in central Numidia, is said to have been killed, but his colleagues were unable to prove it. Cresconius of Caesariana, near Sitifis, was accused of plundering a Catholic church and to have tortured two clerics, probably former dissidents, who fled thereafter to Carthage. Many clergy and parishioners had crossed over to the Catholics in this city.¹³² The worst violence was, surprisingly, not well publicised by Augustine, even when committed against some of his friends. Two Catholic priests were murdered and three bishops, friends of Augustine, Evodius of Uzalis, Theasius of Memblone and Victor of Utica, were ill-treated in 408, perhaps in an urban riot. These three cities were located in north-eastern *proconsularis*. The Donatist bishop of the nearby city of Hippo Diarrhytus was kept in jail from 408 to 411 by military *stationarii*, probably because he was held responsible for similar violence in his city.¹³³ Evodius and Theasius were especially hated for the embassy they led to the imperial court in 404. The death of Stilicho in 408 could have led some local Donatists to think that these

127 *Gesta Coll. Carth.* 1.135 l. 29; 139.

128 *Gesta Coll. Carth.* 1.201 l. 68–71.

129 See also the case of Macrobius of Hippo in 408 (n. 106).

130 Optatus, *De Schism. Donat.* 2.21; 6.1; 6.

131 *Gesta Coll. Carth.* 1.143 l. 28–35.

132 *Gesta Coll. Carth.* 1.189 l. 1–15; 187–8.

133 *Concilia Africae* (CCL 149, 219); *Gesta Coll. Carth.* 1.142. The law Sirm. 14 of January 409 could have been a response not only to the riot against Possidius of Calama in 408 but also to the Donatist violence against these three bishops.

bishops were now disowned by the imperial court. Schismatic bishops, in a manner consistent with their condemnation of the acts of the *circumcelliones*, seemed to have generally refrained from open violence. Most of the Donatists' actions seemed to have taken place in 408, when persecution was temporary halted. As in 362, it was not the persecution itself but the temporary recognition or tolerance of Donatism by the state that was the occasion for vengeance and violent acts. The Donatists involved probably hoped for imperial forgiveness, which was usual for urban riots. Except for the events of 408, spontaneous violence between the religious communities was low, and schismatic urban communities seemed usually to have submitted themselves to imperial orders without resistance. Only the specific conception of penance held by *circumcelliones* could explain the violence in the countryside.

However, violence was sometimes supposed for some Donatist bishops to be an expression of the will of *plebs Christiana*. This principle could have legitimised the actions of the *circumcelliones*. Primianus of Carthage justified the destruction by fire of the house of Maximianus, leader of an internal schism in 391, by arguing that it was due to popular grief against him and not to a clerical intervention.¹³⁴ This was not necessarily a polemical justification. In 397 the proconsul Seranus ordered Salvius, Maximianist bishop of Membrassa, located five kilometres from Abitina, to surrender his basilica to a Donatist – in fact, a Primianist – bishop.¹³⁵ Surprisingly, he entrusted the application of this decision to the magistrates and the people of Abitina. This magistrate seemed to have considered Christian people as the rightful enforcers of the decisions taken by a church council, held at Bagaï in 394, against Maximianists. Salvius was forced to dance bearing linked corpses of dead dogs. As he had left the 'real' church, he was considered as already dead. In this case, an urban Donatist community carried out acts of violence similar to those that the *circumcelliones* habitually committed, possibly because Abititian people held a special status as guardians of the church memory and descendants of the martyrs of the Great Persecution. The patrimony of the Donatist church was not supposed to be lessened by the individual choice of a particular traitor who had to be prevented from transferring a basilica as if it were his personal property.

In a sermon written between 409 and 412 Augustine rebuked his fellow

134 Augustine, *C. Cresc.* 3.59.65.

135 Augustine, *C. Ep. Parm.* 3.6.29.

citizens of Hippo for having killed a corrupt tax officer, a *stationarius*.¹³⁶ He judged it necessary to explain that they could not usurp the *potestas* of the governor even if their actions were directed against a *malus homo*. Augustine recognised publicly that his intervention against the abuses committed by this soldier proved to be ineffective. He used exactly the same vocabulary in his letter to the Catholics of 404 to rebuke *circumcelliones* for judging *mali homines*.¹³⁷ Popular riots were usually tolerated in the cities. *Circumcelliones* were tempted to usurp this privilege of the urban *plebs* which had been denied to the rural population.

Conclusion

The *circumcelliones* had no known parallel in the later Roman Empire. They were, however, a consequence of the rise of the clergy in North Africa and the difficulty, even for Catholics, of defining its exact nature and power in a Christian society and a Christian Empire. *Circumcelliones* reclaimed for themselves autonomous judicial power owing to their ascetical and martyr status. They could not have existed without the Donatist schism, which defined bishops as the sons of the martyrs and valorised voluntary *confessores*. The mass suicide of *circumcelliones* after each persecution, from count Taurinus to the definitive condemnation of Donatism in 405, sanctioned their failure to enforce their own conception of a perfect Christian society. It denoted their apocalyptic creed. For some Donatists, a fixed numbers of martyrs had been set and the last one would bring the coming of the end of times and the triumph of the true church.¹³⁸ *Circumcelliones* were probably a transitional phenomenon. It could explain their disappearance after their last mention in 419, while Donatism is attested in Africa until the end of sixth century. They accompanied the rise of the model of ascetic clergy. At the beginning of the fifth century African rural communities benefited from significant religious autonomy throughout many bishoprics, and a wide range of local saints. This, more than anything else, may be the considered legacy of the *circumcelliones*.

136 Augustine, *Serm.* 302.10–8.

137 Augustine, *Ep. ad Cath.* 20.53–4.

138 Augustine, *C. Gaud.* 1.27.30.

IMPERIAL LEGISLATION AND THE DONATIST CONTROVERSY: FROM CONSTANTINE TO HONORIUS

Noel Lenski

Any investigation of the role of imperial legislation in the Donatist controversy must grapple first and foremost with the reality that imperial legislation is by no means a clear and simple category. ‘Legislation’ is a sticky issue in any culture and is rendered doubly problematic in Roman law by the fact that ‘what the emperor has decided has the force of law’ (*quod principi placuit legis habet vigorem*) – that is, law was the ongoing creation of a single individual.¹ This is not to say that the emperor’s legislative interventions were capricious or random, for emperors took great pains to align their rulings with the principles of Roman civil, criminal and administrative law and to respect the enactments and decisions of their predecessors.² But the emperor’s role as the source of all law rendered him at once the most powerful force behind the creation and enforcement of the law and the most sought-after authority for solutions to problems and concerns by means of the law. The emperor was by no means a free agent, for emperors in all periods delegated both the authority to interpret and, in a limited capacity, to create law to the Roman senate, local councils, civic dignitaries and, above all, the officials working for them. Just as importantly, Roman law – as, indeed, all legal systems – was intersubjective, implicating and entailing not just government agents but also their subjects. Letters of information, petitions for redress of grievances, requests for new laws and suits for the revindication of rights or property all spurred normative activity, and this activity – in its own turn – gained the force of law, sometimes in decisive ways.³ Imperial legislation on the Donatist controversy illustrates well both the complications and the malleability of this system as it was implemented

- 1 *Dig.* 1.4.1; Justinian, *Inst.* 1.2.6 (Ulpianus *Inst.* 1); cf. *Lex de imperio Vespasiani* ll. 18–20 (*ILS* 244); cf. Ando 2000, 155–8.
- 2 Ando 2000, *passim*, esp. 131–74.
- 3 Dillon 2012; Millar 1992, *passim* esp. 203–72; Millar 2006, 192–234; Corcoran 1990, *passim*, esp. 254–65.

in the lived world of late antique North Africa. In the investigation that follows, we will examine how the manipulation of this system by both sides in the controversy became crucial to their success or failure.

Categories of Legal Communication

To understand how imperial legislation affected the Donatist controversy, we must first lay out the types of legislative action that could be deployed in the Roman world. The point of this exercise is in part to make it clear that imperial legislation fits into a variety of discreet but overlapping categories that dictate the form a particular order takes, the nature and scope of its audience and the range of its authority. The broad variety of types listed should make it clear that legislation is really nothing more than a marked type of communication, for legislative speech acts have a particularly efficacious illocutionary force: they stand out from other forms of address in their exceptionally pronounced power to do things in the world.⁴ An emperor's letter – or that of his official – thus differed from any other letter insofar as it could establish norms that affected human behaviour all across the Empire and were valid for the enforcement of claims to rights or property against the claims of all other individuals within the emperor's jurisdiction.

A catalogue of imperial legislative types must include:⁵

- Edicts (*Edicta*): General laws with regional or imperial scope in which the emperor began speaking in the third person (*dixit*) and continued with orders in the jussive subjunctive. Imperial officials – especially governors – could also issue edicts, although, unlike imperial edicts, theirs were limited in scope to their province.
- Mandates (*Mandata*): Instructions to officials to perform a specific command, often issued at the start of their term in office.
- *Decreta*: Imperial judicial decisions, which carried the force of law. Constantine empowered high-level magistrates and bishops to issue *decreta* in his stead (*vice Caesaris*).⁶

4 Austin 1962; Searle 1970; cf. Habermas 1987, chapters 6–7.

5 Kunkel 1973, 127–30; Millar 1992, 213–59; Corcoran 2000, *passim*; du Plessis 2010, 40–3.

6 In the instance of *decreta* (and this instance alone) I do not translate the Latin since

- Rescripts (*Rescripta*): Responses to petitions, usually answering a legal question by interpreting or adapting existing law. Rescripts to which the emperor added his own notations were referred to as *adnotationes*.⁷
- Letters (*Litterae*): Laws addressed to officials or individuals in the form of a letter, written in the second person with orders in the second- or third-person subjunctive. Letters often arose out of and were accompanied by edicts, which they served both to introduce and to apply to specific addressees.⁸

In addition, as noted above, the legislative process was often prompted by communications from below: individuals, groups or officials relating information, requesting advice or seeking redress. These included:

- Petitions (*Libelli*): Direct appeals by individuals, groups or communities (including cities, guilds, and churches), often accompanied by a dossier of supporting documents.⁹
- Embassies (*Legationes*): Personal visits to the emperor or his officials, often bringing written petitions and accompanying documentation.
- Reports (*Relationes*): Communiqués on legal matters or appeals by imperial officials, also accompanied by documentation.¹⁰
- Suggestions (*Suggestiones*): Reports from an official or interested party recommending a course of action that could then be enacted into law.¹¹

the English word ‘decree’ has become generic for all legal enactments and does not map well onto the semantic range of *decretum*. In this chapter, no firm distinction is made between the judicial decisions of the emperor and those of his officials who were granted the right to adjudicate *vice Caesaris*. On this last, see Peachin 1996, 187–99. On *audientia episcopalis* (the right of bishops to judge in lieu of the emperor) see Dillon 2012, 146–55, with earlier bibliography.

⁷ *Adnotationes* are mentioned in laws related to the Donatist controversy at nos 108 and 118; cf. no. 61. On *adnotationes* more generally, see Turpin 1988; cf. Mathisen 2004.

⁸ Matthews 2000, 254–79; Corcoran 2000, 123–69. Kunkel 1973, 128–9 would class letters (*epistulae*) as a subset of *rescripta* and would refer to what I term rescripts with the narrower concept of *subscriptiones*. This amalgamation of the two forms creates problems given that not all imperial letters were composed as responses (*rescripta*) to a specific request or petition.

⁹ Millar 1992, 240–52, 537–49; Hauken 1998; Connolly 2010.

¹⁰ Dillon 2012.

¹¹ Millar 2006, 207–14.

- Appeals (*Appellationes/Interpellationes*): Requests for a renewed hearing by the losing party to a suit, to which documentation of the previous suit had to be appended.¹²

Every one of these forms appears in the appendix of ‘Imperial Communications Related to the Donatist Controversy’ offered at the close of this study. This fact better than anything reveals the discursive nature of the legal process. The law was not a monolithic artefact but an intersubjective dialogue that came into being and was invigorated by the ever-unfolding interplay between (on the one hand) petitioners, plaintiffs and appellants and (on the other) the emperor or his officials. Those groups or individuals most skilled at manipulating this dialogue were themselves most likely to benefit from it.

The appendix also reveals to some degree the types of communicative actions most commonly deployed. Although our sources are heavily biased in favour of the imperial side of the dialogue and thus clearly underrepresent the numbers of some of the forms more commonly used (particularly petitions), taken in the aggregate they constitute a considerable body of data with some statistical significance (Table 3).

Table 3. Absolute numbers of legislative types catalogued in Appendix: imperial communications.

Edict	13	Petition	13
Mandate	2	Embassy	14
Decretum	18	Report	5
Rescript	11	Suggestion	1
Letter	42	Appeal	4

Immediately one notices the heavy dependence of the late imperial legislative process on the letter as an all-purpose legislative form. Of the 123 communications catalogued,¹³ fully 42 (34.1%) are letters. This results especially from the versatility of the epistolary form, but also from the tendency of the late Roman chancery to communicate the content of other enactments – especially edicts – using letters addressed to the various

¹² Kaser 1996, 500–1; Pergami 2000; Dillon 2012, 214–50.

¹³ Note that no. 107 includes 1 edict and 1 letter; and no. 122 includes 2 edicts.

officials and jurisdictions on which these would have had an impact.¹⁴ The letter had thus become a general purpose legal instrument that acted as the most versatile workhorse in the stable of imperial legal communications.¹⁵ Other matters of note to emerge from the data are the high number of embassies sent by the various parties to the court (n=14, 11.4%) and the degree to which both sides put the imperial judiciary – the emperor himself and his delegates – to work judging their quarrels in *decreta* (n=18, 14.6%).

Four Phases of Imperial Engagement

The engagements of Roman emperors with the Donatist controversy can be divided into four relatively clear phases.¹⁶ In the first Constantine bumbled into the problems created by the schism unawares – and entirely contrary to his idealistic expectations about the power of God and his ministers to bring peace to the Empire. Immediately after making public his conversion to Christianity, he was forced to confront the reality of a divided church, which he did with his characteristic mix of rage, compassion, ingenuity and dumb luck until he managed to bring the situation to a tense equilibrium. In the second phase, Constantine's son Constans made the first concerted effort to compel the dissidents into union with the mainstream church, with disastrous and violent results that galvanised the Donatist cause for generations to come. In the third phase, imperial successors down through Theodosius strove to restore the equilibrium established under Constantine by limiting their engagements with and enactments on the matter. This low level of intervention allowed both communities – and particularly the dissidents – to become highly organised and well entrenched. In the fourth and final phase a determined group of Catholic prelates under the direction of Aurelius of Carthage and Augustine of Hippo maneuvered the emperor Honorius into position to hammer the Donatists and suppress their political and religious impact by the time of the Vandal invasions.

14 The most obvious example of this is the so-called Edict of Milan, which is in fact a letter, but is clearly based on an edict. This renders the bluster of Barnes 2007 and 2011, 93–4, who insists that no-one call the document an edict, out of place; cf. Lenski 2016.

15 See especially Corcoran 2000, 123–69.

16 Other surveys of imperial legislation on the Donatists include Soden 1950; Brisson 1958, 243–87; Maier 1987–9.

Phase I – Constantine's Encounter with the Donatists¹⁷

The Donatist controversy came into being only a few years before Constantine seized control of Africa from Maxentius in 312, and only with his arrival on the scene did the imperial state become involved.¹⁸ Imperial entanglement was, however, something Constantine practically invited by issuing two orders to the Proconsul Africae Anullinus in late 312 or early 313 ordering him to return to Christians property confiscated from the churches during the persecutions (no. 1) and to grant curial exemptions to Christian clerics (no. 4). A third letter to the Catholic bishop of Carthage, Caecilianus, granted him access to funds from the imperial fisc with which to support Christian clergy (no. 2, cf. no. 3). Already two of these documents show familiarity with the schism developing in the North African church, for no. 2 mentions ecclesiastical infighting directly and no. 4 alludes to it by insisting that exemptions be enjoyed only by those clerics who followed Caecilianus. In another document (no. 5), datable precisely to 15 April 313, the Proconsul Anullinus sends a report on the controversy to Constantine, along with a dossier of materials sent by the opponents of Caecilianus that included a petition and a sealed packet of charges (*crimina*) against the Carthaginian prelate – neither of which is extant. Although this document would indicate that Caecilianus's adversaries considered the charges they levelled against him to be criminal or civil matters and not mere issues of religious import, Constantine chose to refer the matter to Miltiades, the bishop of Rome, and ordered Caecilianus, his supporters and his accusers to assemble in Rome for a hearing before that city's bishop (nos 7–9).¹⁹ In October of 313 Miltiades of Rome and a group of 18 other bishops from Italy and Gaul heard the case and found Caecilianus innocent, concluding that his opponents' charges were false (no. 10, cf. no. 11).²⁰

17 On Constantine and the Donatist controversy, see especially Calderone 1962, 230–96; Girardet 1975; Drake 2000, 212–21; Lenski 2016. See also Gaudemet 1992 for a useful survey of all Constantinian constitutions to North Africa.

18 Kriegbaum 1986, 130–49 makes the most convincing argument for the date of the beginning of the Donatist controversy, which he places in 308. He is followed by Edwards 1997, 16 n. 69. Barnes 1975 argues for 306 and is followed by Shaw 2011, 812–9. Monceaux 1901–23, 4.8–9 argues for 311 and is followed by Frend and Clancy 1977; Maier 1987, 129–33.

19 Girardet 1992.

20 From the 1950s to the 1970s scholars expended considerable effort attempting to establish the precise nature of the juridical and ecclesial protocols that underlay Constantine's organisation of the councils of Rome and Arles: see Instinsky 1955,

Shortly thereafter, a letter of Constantine's to the Vicar of Africa indicates that an embassy from Caecilianus's adversaries had come to him to present an appeal, a fact that agitated the emperor at the thought that pagans might carp at this bickering among his fellow Christians (no. 13). Even so, Constantine ordered the Vicar to arrange for Caecilianus and the followers of Donatus (who had by now become the leader of the dissident church) to travel to Arles for a second hearing (no. 14). Bishops from all across the West were also invited to attend and were permitted to use the public post system for their travel (no. 15). The Council of Arles – which met on 1 August 314, probably in the absence of Constantine²¹ – found Caecilianus innocent a second time and reported its verdict not just to the emperor but also to the bishop of Rome (nos 16–7). The Donatists, however, promptly lodged another appeal, again directly to the emperor (no. 18). For his part, Constantine sent a letter to the bishops of the Council of Arles which showed his increasing frustration and anger with the dissidents and ordered some of their leaders to be detained at his court even while their Caecilianist adversaries were permitted to return to Africa (no. 19). In the same missive the emperor reports that he had sent a separate letter to the Vicar of Africa requesting the arrest of Donatists there and their conveyance to his court (no. 20).

Nevertheless, late in 314 or early in 315, Constantine responded favourably to Donatist demands that he undertake an inquest into the conduct of Felix of Abthugni, Caecilianus's consecrator, who was accused of having surrendered scriptures to the flames during the persecutions. Constantine mandated that the Vicar of Africa, Aelius Paulinus, conduct this trial (no. 21). Aelius Paulinus sent out orders to gather witnesses, then held the trial in early 315 and found Felix innocent as well (nos 22–3). He sent a report of the verdict to Constantine along with a copy of all relevant documents and even informed the emperor that one of Felix's accusers, a decurion named Ingentius, had forged documents in

47–82; Calderone 1962, 230–96; Grasmück 1964, 26–107; Girardet 1975, 6–51. Because of the state of the evidence, these efforts yielded no definitive answer. It seems better to admit that the processes involved were necessarily experimental and that both councils were assembled and conducted using a combination of synodal and civil law protocols. See now Humfress 2007, 217–68 for a nuanced approach to the imbrication of civil and ecclesial juridical systems in the period.

21 See Girardet 1989b, contra Calderone 1962, 292–3; Barnes 1981, 58; Barnes 1982, 72.

conjunction with the trial, a fact which led to Ingentius's summons to court for prosecution (nos 24, 28).

By early 315 Donatus and other dissident bishops who had been detained at Constantine's court in the aftermath of the Council of Arles appealed for and were granted permission to return to North Africa and were even allowed to use the public post system to travel (nos 25–6). Knowing that Constantine's visit to Rome to celebrate his decennalia that same summer would put him within relatively easy reach of North Africa, the Donatists renewed their appeal in hopes of finally winning a hearing from the emperor himself, which they had been requesting from the beginning (no. 27). In response, Constantine vacillated about the question of venues and judges, first proposing to send a jury of friends (*amici*) to North Africa, then deciding to summon Caecilianus and his accusers to Rome (nos 29–30). When Caecilianus failed to show the Donatists proposed he be condemned in absentia, but soon defaulted to renewing their appeal for an imperial instance (no. 31). After receiving a report of rioting connected with the controversy from the Vicar of Africa (no. 32) Constantine responded with a fiery letter saying that he had renewed his plans to travel to Carthage in order to demonstrate to the Donatists how to venerate the divinity properly (no. 33). Once again, however, he backed away from this scheme – in no small part because of growing military tensions with Licinius – and chose instead to summon both sides to a trial at Milan (no. 34). To guarantee Caecilianus's presence this time the Donatist partisan Philumenus suggested to Constantine that Caecilianus should be detained in Brixia (Brescia) until the start of the hearing; Constantine duly complied (no. 35). In Milan, at some point in 316 – probably in summer – Constantine thus finally heard the case in person and found Caecilianus once again innocent of all charges (no. 36). The Donatists had obtained the imperial hearing they had been requesting for more than three years, but alas not the verdict for which they had hoped.

In a letter dated 10 November 316 and thus sent from the Balkans following Constantine's first war with Licinius, the emperor reported this judgement to the Vicar of Africa (no. 37). As winter set in he sent two bishops to spend 40 days disseminating word of the judgement and proclaiming the unity of the church in Carthage (no. 38). The emperor then carried the matter to the next stage in early 317 by issuing an order of union, probably in the form of an edict, to the North African church (no. 39). This imposed sanctions against the Donatists that appear to have included confiscations of their basilicas and the exile of some of their leaders.

Attempts to implement the order resulted in open violence, including the martyrdom of a bishop named Honoratus from Sicilibba and some members of a church he was visiting near Carthage.²² The violence was not, however, widespread or long-lasting, for, if it had been, our sources for Donatist martyrs in this period would surely be more abundant.²³ Moreover, by 320 the Donatists were once again falling back on the imperial court system to adjudicate a dispute over the bishopric of Cirta-Constantina (no. 40), and by 321 they felt sufficiently empowered to lodge a petition to Constantine brazenly refusing allegiance with Caecilianus and demanding relief from the order of union (no. 41). In response, Constantine issued a letter to the Vicar of Africa revoking the exile of Donatist clerics (no. 42) and another letter to all 'Catholic' bishops and laity of Africa telling them to endure Donatist insults with patience and mercy and to reserve judgement of dissident offences to God (no. 43).

Although he also issued a general order to the Comes Orientis in 326 insisting that the privileges he granted to clergy be applied only to Catholics (no. 45) Constantine continued to maintain a tolerant stance toward Donatism down to the end of his reign, even in the face of open violence from the dissidents. When in 330 a group of Catholic bishops from Numidia sent a petition to the emperor informing him that the Donatists of Cirta-Constantina had taken over the Catholic church there (no. 46) he demanded no vengeance be exacted but offered instead to build the Catholics a new church at imperial expense (no. 47). He then sent letters to the local exchequer of the *res privata* and to the Consularis Numidiae to arrange for the requisite transfer of property and financial support (nos 48–9). The original petition that had set this largesse in motion also reveals that Donatist leaders in Numidia had forced Catholic clergy to enroll in local *curiae*. Constantine rescinded these efforts with a mandate to the Consularis Numidiae that Catholic clergy should be removed from curial service in keeping with his earlier laws on the matter (no. 50).

Constantine thus struggled mightily to avoid direct judicial involvement in the Donatist controversy. Only after two attempts to remand judgement on the matter to councils of bishops did he agree to grant an imperial

22 For the so-called *Passio Donati* see Dolbeau 1992, who shows at 254 that this rather confusing text in fact attests to the death of just one clergyman and an unspecified number of his congregants.

23 See Lenski 2016.

audience, and even then it took him nearly two years of vacillation before he actually heard the case in Milan. After reaching his verdict in 316 he attempted to induce the Donatists into union with their Catholic opponents, but eventually issued an edict of union that ordered the expropriation of basilicas. Unsurprisingly, its enforcement resulted in open violence. Nevertheless, Constantine avoided causing massive uprisings by easing back on the enforcement of his order of union shortly after its issuance and, by 321, he was talked into a position of principled toleration by the Donatists. This remained his prevailing approach to the controversy even in the face of a forcible takeover of the Catholic basilica of Circa-Constantina by the Donatists in 330. Constantine had thus been pulled willy-nilly into involvement in the controversy by the skill and persistence of the Donatists, who then helped pull him back from the brink of ongoing violence after they refused to abide by his judicial decision against them. Despite the inherent weakness of their case – on which more below – the Donatists thus managed to control the legislative process largely to their advantage, without, of course, winning the day for their side.

Phase II – Constans's Assault

In the 60 years following Constantine's death in 337 only one of his imperial successors showed interest in enforcing his order of union at the expense of compromising stability in North Africa – his son Constans (337–50). Although Constans's first approaches to the Donatists were aimed at using peaceful measures to restore union, a cycle of violence erupted in 347 that eventually became central to the Donatist narrative of unjustified state aggression against their cause. Even this explosion was not, however, part of a sustained effort to suppress the dissidents under Constans. Indeed, as the author of one of the martyr accounts from his reign reveals, the tragedies of 347 came as a great shock precisely because the church had largely been at peace for the 30 years preceding.²⁴

Much of the trouble was caused by a group of private enforcers used

24 *Passio Isaac et Maximiani* 3.13 (Mastandrea 1995, 77): 'Silverat hic apud Karthaginem aliquamdiu saevae persecutionis immanitas, ut longioris temporis cessatione nutriret peiores insidias ...'. It was in this period that Donatism spread outward from Africa to establish footholds in Rome and in Spain: Frend 1952, 169–71.

by the Donatists, whom the Catholics termed '*circumcelliones*'. As Brent Shaw has shown beyond a shadow of a doubt, the *circumcelliones* were not post-colonialist Berbers fighting to throw off the yoke of the Roman imperial state, nor were they discontented peasants waging class warfare *avant la lettre*.²⁵ Rather, they were underemployed seasonal wage labourers enlisted by Donatist clergy to defend their property interests in a world where the dissidents could not rely on the state for such protection.²⁶ When these militia groups got out of hand in Numidia in the mid-340s the Comes Africae Taurinus answered a petition by some locals to deploy troops, who then slaughtered many of the *circumcelliones* in a marketplace at *Locus Octavensis* (no. 51). This was not, apparently, an attack organised at the imperial level but a police response to locally confined problems. The relative degree of culpability of the two sides involved is unclear. Regardless, the Catholics had learned that, when disputes with their Donatist neighbours turned violent, they had the advantage of being able to petition imperial forces for military support in defence of their cause.

Tensions escalated only in 347, when Constans provoked further reactions by initiating the most proactive campaign to restore union since Constantine's abortive effort some 30 years previously.²⁷ He began peaceably by sending imperial officials named Paulus and Macarius to distribute largesse to Donatists in an effort to entice them back into union (no. 52). The move backfired when the Donatist bishop of Bagaï in Numidia – himself named Donatus – resisted the imperial emissaries with a large force of *circumcelliones*. This provoked an uprising that led to the deployment of imperial soldiers under the *comes* Silvester and eventually to the slaughter of Donatus and many of his followers in Bagaï.²⁸

This violence apparently encouraged Constans to issue a new edict of union in 347 (no. 53). When this was promulgated in Carthage in August, a dissident named Maximianus tore down the proclamation and another named Isaac lodged such vociferous protests that the two were arrested. Both were questioned under torture and eventually died in prison (no. 54). The edict also occasioned an embassy to Paul and Macarius at

25 For these interpretations, see Brisson 1958, 243–410; Frend 1952; Dossey 2010, 173–94.

26 Shaw 2004; 2011, 630–74; cf. Tengström 1964, 46–74; Lenski 2013.

27 This may even have been undertaken at the request of Donatus himself, cf. Optatus, *De Schism. Donat.* 3.1.2.

28 On the order of these events, see Shaw 2011, 162–71.

the Numidian city of Vegesela by ten Donatist representatives, the most prominent of whom – a bishop named Marculus – was imprisoned, beaten and eventually thrown from a cliff to his death (nos 55–6).²⁹ The acts of these martyrs, which are frankly underwhelming in the scale and degree of organised violence they report, came to serve as rallying cries for further resistance from the Donatist community.

Thus, although Constans abided by Constantine's openly declared principle of toleration during the first decade of his reign, the rise of the use of *circumcelliones* by the dissidents provoked forceful responses from the imperial military at least twice in quick succession in the mid-340s. This eventually led Constans to issue a new edict that gave rise to the most virulent and widespread application of imperial violence to date. The martyrs created in the last years of Constans's reign quickly became iconic exemplars of Donatist suffering in the face of imperial aggression. They lived on in the historical memory of the dissidents for a century to come and thus helped galvanise the movement in a period when government involvement had begun to seem an afterthought. The city of Bagaï, which was the flashpoint of the most monumental conflict of the period, became a sort of Donatist mecca, providing the dissidents with both a holy site for the veneration of their martyrs and a meeting place for the greatest council they would ever organise.³⁰ Ground-level violence thus provoked imperial reaction and then overreaction, which eventually cemented the dissident side into an entrenched position from which it would not easily be extracted.

Phase III – Imperial Détente

Nevertheless, following this ultimately failed effort at strong-arming compliance, we have very few indications that other mid-fourth-century emperors made concerted efforts to put a stop to the schism in North Africa. After he usurped full power in 361 Julian (361–3) responded to a petition sent by the Donatists by overturning earlier imperial orders and returning things to the *status quo ante* (nos 57–8). This was surely part of Julian's larger programme of sowing discord among Christians by giving

29 For the *Passio Isaac et Maximiani* and the *Passio Marculi*, see Mastandrea 1995. See Grig 2004, 54–8; Shaw 2011, 171–87 for analysis. Augustine, *Tract. in Ioh.* 11.15 claims Marculus jumped rather than being thrown.

30 On the Council of Bagaï see Shaw 2011, 125–30.

free rein to their sectarian bickering, but it appears to have had little effect on the situation on the ground, probably because of both the brevity of Julian's reign and the largely deadlocked ecclesiastical and proprietary situation that prevailed by the 360s.

Valentinian I (364–75) apparently reversed Julian's order, although certainty is difficult because we have only a single rescript of his related to Donatism. It upholds the principle that those who rebaptise are unworthy to serve as clergy (no. 59), indicating a probable return to the *status quo ante Julianum*. Enforcement of this ruling or some other probably explains why Valentinian's Comes Africae Romanus was listed by the Donatists in catalogues of their persecutors.³¹

Gratian (367–83), by contrast, took rather more severe measures after gaining full control of the West in 375. In a rescript of 377 he ordered the Vicar of Africa to enforce laws against rebaptism, to see to the return of church structures in Donatist control to the Catholics and to begin grappling with the problem of Donatists who operated outside the civic sphere on rural estates (no. 61). In answer to a petition from a Catholic synod in Rome Gratian also ordered the expulsion of Rome's Donatist bishop Claudianus in early 378 (nos 62–3). Although he is then reported to have granted broad religious tolerance in a rescript issued from Sirmium immediately after the disaster at Adrianople in August 378 (no. 64), one year later in 379 he issued a general edict against all heresies that abrogated this earlier rescript and specifically mentioned 'rebaptisers' as a target (no. 65). Although Gratian's effort was more intensive, it can hardly be called a programme of rigorous anti-Donatist legislation; we hear of no major clashes or martyrdoms in our sources for the period.

Nor do we hear of such from the reign of Theodosius I (379–95) in the years after Gratian's death. Indeed, we know of no legal pronouncements on the Donatists from Theodosius himself, even despite his broader efforts to rein in heresy and pagan practice. We do, however, have testimony to judicial actions taken over a split that opened up within the Donatist church of Carthage following the death of its bishop Parmenianus in winter 391/392. Parmenianus's successor, Primianus, aroused considerable opposition after he excommunicated a deacon of his named Maximianus, which led to Primianus's condemnation by a large faction of Maximianus's supporters and subsequently by a conference held at Cabarsussi (in Byzacena) in

31 Augustine, *C. Litt. Petil.* 3.25[29]; *Gesta Coll. Carth.* 3.258; cf. *PLRE* I Romanus 3; *PCBE* I Romanus 1.

June 393. Another council held at Carthage elected Maximianus to head the Carthaginian church. In response to these condemnations Primianus retrenched and organised a council in April 394 at the Donatist stronghold of Bagaï, where Maximianus was condemned and Primianus's standing as the Donatist bishop of Carthage reaffirmed.³² Following this council, Primianus and his supporters began turning to the Proconsul Africae for a series of judgements that condemned Maximianist bishops to surrender ecclesiastical property to their Primianist opponents (nos 66–70, 72). Augustine later took great delight in reminding the Donatists of their heavy reliance on the imperial judicial system in order to resolve this schism within their ranks.³³ This regular recourse to the imperial courts by Donatist leaders proves that the imperial government was, by this point, hardly seen as a threat by the Donatists and must not, therefore, have been strictly enforcing laws compelling Donatists into union.

It is difficult to determine the extent to which the absence of evidence for action and legislation against the Donatists in the years after Constans's reign indicates a lull in anti-Donatist enactments rather than simply a gap in our source record. Insofar as the legal and textual tradition for this period is otherwise relatively abundant, it would seem that there was in fact a relaxation of efforts to interfere with confessional alignment in North Africa that lasted for a period of nearly 60 years. Even the recorded incidents of unrest under Constans would seem to indicate locally circumscribed protests against relatively anodyne attempts to enforce order and persuade compliance with imperial law. As Shaw has shown, the regular recurrence of the names of the same relatively few Donatist martyrs in our sources from this period points to an atmosphere of *détente* in which Catholics and Donatists managed to coexist in a tense but respectful equilibrium, while the imperial state was content to avoid tampering with this precarious balance.³⁴

32 Maier 1989, 73–4, 84–5; Shaw 2011, 107–45.

33 See below pp. 190–2.

34 Shaw 2011, 623–5.

Phase IV – Honorius and the Predominance of the Catholics

The reign of Honorius (395–423) witnessed a marked increase in efforts by the imperial state to influence sectarian conflict and enforce the order of union which had effectively been in place but only desultorily enforced since 317.³⁵ Two factors played a role in encouraging this shift in policy. First, the North African leader Gildo had offered military assistance to the Donatist bishop Optatus of Thamugadi in his efforts to quell internal disputes within the Donatist ranks (no. 68).³⁶ After Gildo was declared a public enemy and executed as a usurper in 398, his enlistment by the Donatists could be portrayed by Catholic rivals as collaboration with the enemy. This was due in no small part to the second main reason for the shift in imperial attitudes: the election of two strong and long-ruling Catholic bishops – Aurelius of Carthage (s. 393–429) and Augustine of Hippo (s. 397–430) – who succeeded in creating a united front combining the power of an extremely determined metropolitan prelate with the acumen of an unparalleled rhetorical genius, who, together, were able to coax the emperor into serious action.³⁷

Shortly after Gildo's suppression Honorius transmitted an edict to the Vicar of Africa in 399 condemning those who violated the privileges of the church to pay a fine of five pounds of gold and overturning privileges obtained by 'the heretics', apparently under Gildo (no. 73). This surely signalled to the African Catholic leadership that Honorius's court was at once disturbed by Donatist involvement with the usurper and willing to enforce long-neglected regulations with newfound vigour. With this in mind, Aurelius began organising councils each summer in Carthage which sent forward a series of petitions designed to corner the emperor and his officials into cracking down on the dissident church using the apparatus of imperial law. This all began with a petition, seemingly innocent enough,

35 Millar 2006, 149–67 describes a remarkably similar process of collusion between state and church leaders in the formulation and enforcement of policy in the Greek East, which occurred only shortly after the events described here in Honorius's reign.

36 Augustine, *C. Ep. Parm.* 1.4[9], 2.3[7], cf. Maier 1989, 103, n. 5 for further sources.

37 On Augustine and the Donatists, see Millar 1992, 584–90; Brown 2000, 207–39; O'Donnell 2005; Shaw 2011, *passim*, esp. 141–5, 409–40; Ebbeler 2012, 151–89. McEvoy 2013, chaps 5–7 has overturned older arguments that the child emperor Honorius was easily subject to manipulation. As she has shown, the administration continued to function much as it had under more mature leaders.

from the Council of Carthage in 401 requesting that African officials create a dossier of public records (*gesta publica*) from the official proceedings of trials between Primianists and Maximianists – the Donatist schismatic sects (no. 74). Here one senses the tactical mind of Augustine at work, for in his polemical treatises against the Donatists written over the decades to come he would reference these very incidents time and again as examples of the way in which the Donatists had no qualms about recurring to the state judicial apparatus when it served their purposes.

The next gambit came in 403, when the Catholic leadership sent a petition from the Council of Carthage to the Proconsul of Africa asking permission to organise formal hearings (*gesta*) into the faith of Donatist leaders on a city by city basis (nos 75–7). This resulted directly in an edict from the Proconsul granting the Catholics precisely what they had requested (no. 78). As was to be expected, the project met with a frosty reception from Donatist leaders, who generally refused to appear before these inquests.

A similar discursive process in 403/4 proves extremely instructive of the manner in which Catholic petitioners succeeded in cornering their Donatist opponents using the imperial legal infrastructure. Possidius, the Catholic bishop of Calama, had humiliated Crispinus, his Donatist opponent, in one of the public hearings just described. Crispinus responded by organising a retaliatory assault on his Catholic rival that nearly cost Possidius his life. Possidius, in turn, brought suit against Crispinus, who was convicted of heresy before the Proconsul of Africa and sentenced to pay the crippling high fine of ten pounds of gold prescribed in a law of Theodosius I originally aimed at driving Eunomian heretics into bankruptcy (no. 79).³⁸ In a rhetorically motivated show of mercy, Possidius and his mentor Augustine appealed to the governor for a remission of the penalty and obtained it (no. 80). Crispinus, however, made his own appeal to none other than Honorius himself, who upheld Crispinus's original condemnation and ordered the dissident bishop to pay the massive fine (no. 81). Still one step ahead of the process, Augustine and Possidius intervened with Honorius as well and obtained a new rescript under which the penalty was to be exacted only from those 'heretics' who had done

38 *CTh* 16.5.21, a. 392. On this incident, see Hermanowicz 2008, 110–8; Shaw 2011, 525–7. For similar efforts by Augustine to convince imperial officials to modulate the level of force against Donatists convicted of violence, see *Epp.* 100.1–2, 133.1–2, 134.2–4.

violent damage to a Catholic church (nos 82–3). This entire exchange shows how Augustine's careful exploitation of the legal system put him in control of the process at every step as he adroitly modulated the amount of pressure the emperor and his officials applied to Crispinus so as to maximise his own mastery of the situation.

Both Augustine and Aurelius of Carthage were especially quick to exploit the legal advantage offered them by the Donatist deployment of *circumcelliones*, whose enforcement of Donatist claims to property and power could easily be construed as a threat to public order. In the summer of 404 the Council of Carthage sent an embassy to the emperor carrying a memorandum (*commonitorium*) reporting circumcellion violence and a decree (*decretum*) asking the emperor to provide protection in cities and neighbouring estates (nos 84–6). More specifically, the *decretum* called for systematic enforcement of the Theodosian law exacting ten-pound gold fines against heretics³⁹ as well as the application of an even older Theodosian law⁴⁰ depriving heretics of the right to testify. While the legates were away Aurelius and the Council of Carthage also sent a petition to local officials in Africa asking that these grant protection to their cities and estates against Donatist violence (no. 87). The Catholics then reinforced the impact of their embassy to Ravenna by arranging for the 'fortuitous' arrival there in winter 404/5 of the Catholic bishop of Bagai, Maximianus, who had recently suffered extreme humiliation and violence at the hands of Donatist rowdies (no. 88). Aurelius was thus stage-managing communications with the emperor and his officials, manipulating them like marionettes on a string.

Predictably, Honorius was roused to fury by the report of the embassy and the scars of Maximianus. He responded by issuing an edict in February 405 forbidding rebaptism, ordering union, denying the right of assembly to Donatists and threatening those stirring up sedition with torture (no. 89).⁴¹ The promulgation of the edict, which survives in only two brief fragments, is also attested by two letters to the Praetorian Prefect of Africa and Italy which appear to lay out its terms in much greater detail: rebaptisers are to suffer confiscation of their property; estates where rebaptisms occur are to be confiscated and their owners branded with *infamia*; managers of those estates may be beaten with lead-tipped whips and exiled; slaves forcibly rebaptised are granted refuge in churches; and rebaptisers lose *testamenti*

39 *CTh* 16.5.21.

40 *CTh* 16.5.17, a. 389.

41 On the impact of the so-called Ravenna dossier, see Shaw 2011, 520–39.

factio (nos 90–1). The emperor was, in essence, writing into law the petition of the Council of Carthage.

Honorius's edict of February 405 set in motion a series of imperial communiqués with provincial officials designed to promulgate and enforce its terms. Evidence of this comes in two letters, one to the Praetorian Prefect and a second to the Proconsul of Africa, ordering the public posting of the edict (nos 92–3). We also have a letter of Augustine to the Vicar of Africa that alludes to the dissemination of the Vicar's own edict promulgating that of the emperor (no. 94). More importantly, the sources also point toward a remarkable degree of coordination between Catholic church officials and imperial officers in the propagation and enforcement of the 405 edict. An embassy was sent from the Council of Carthage in August 405 to offer thanks to Honorius for this new edict of union and to petition him to ensure its enforcement in the cities and remaining provinces of the African diocese (no. 95). Even before hearing back from Honorius the Council also wrote directly to governors insisting on the same (no. 96). In addition, the letter of Augustine to the Vicar of Africa just mentioned (no. 94) was written primarily to encourage enforcement of the edict in Augustine's own territory of eastern Numidia. The Catholic bishops of Africa were thus orchestrating a barrage of petitions designed to hound imperial officials into enforcing the edict each in his own jurisdiction. Extending as it did up to the emperor, this effort also elicited a rescript from Honorius to the Proconsul of Africa ordering the prompt enforcement of the order, proving again the degree to which the Catholic caucus was now in control (no. 97). In 406 a Donatist embassy was turned away from the court without audience (no. 98), while in 407 the Catholics were received and allowed to offer petitions for help resolving the question of how to deal with incorporating those churches which had converted to Catholicism under this new imperial pressure (no. 99). This Catholic embassy provoked yet another imperial letter to the Proconsul of Africa, issued on 15 November 407, ordering a relaxation of penalties against those individuals and communities that joined the Catholic side (no. 100) – the Catholics had thus fully mastered the system of petition and response.

Yet another imperial letter, issued to the Praetorian Prefect of Italy and Africa simultaneously with the previous (15 November 407) and posted in the forum of Carthage by the Proconsul Africae, lumped pagans together with Donatists as subject to confiscation and even offered Catholic bishops access to imperial secret service agents (*agentes in rebus*) for enforcement of the order of union (no. 101). This microscopic level of confessional

policing provoked riots among the pagan community in Calama, and probably among Donatists as well, which in turn occasioned two further embassies from the Council of Carthage to Rome in the course of 408 (nos 102–3).⁴² In response, a new imperial letter was sent calling on the Proconsul of Africa to punish any Donatists or Jews who attacked Catholic property (no. 104), and yet another ordering the Praetorian Prefect to deploy *defensores*, *curiales* and *officiales* to ferret out dissidents who continued to meet in cities and their surrounding territories (no. 105). A fascinating imperial letter of 409 (nos 106–7), to which we shall return below, responded to yet another petition claiming that assaults (*iniuriae*) on bishops had gone unpunished by criminalising such attacks and creating protocols for their prosecution.

While Heraclianus was serving as Comes Africae in 410 the Donatists experienced a temporary reprieve from prosecution through a law that granted a relaxation of the enforcement of imperial orders, probably to pacify North Africa in the period when Rome was under siege from Alaric (no. 109). This truce was quickly protested by an embassy from the Council of Carthage in June 410 (no. 110) and subsequently rescinded in a rescript issued 25 August 410 – one day after Rome was taken by the Visigoths (no. 111). Here again, petition and response furthered a tug-of-war in which the Catholic cause was gaining ground at nearly every step.

Shortly thereafter both parties sent embassies to Honorius requesting that he establish a new council that might settle the dispute in a large-scale public hearing (nos 112–3). Honorius responded by sending the Tribunus et Notarius Marcellinus with an order to convoke and preside at the Council of Carthage of 1–8 June 411 (no. 114), a colossal undertaking in itself that has won even greater fame because of the survival of a verbatim transcript of the vast bulk of its proceedings.⁴³ Marcellinus's first action was to issue his own edict of January 411, in which he took great care to ensure the establishment of a fair judicial instance by guaranteeing the Donatists safe passage to and from the city, offering them the right to nominate a co-adjudicator to serve alongside himself and even granting a

42 On the riots see Hermanowicz 2008, 157–63.

43 It was no accident that Marcellinus was the brother of the then sitting Proconsul Africae Apringius, *PLRE* I Apringius 1; *PCBE* I Apringius. For Augustine's relationship with Marcellinus and other 'men of imperial power' see Shaw 2015; cf. McLynn 1999. Both downplay the extent of Augustine's prior contact with the officers to whom he wrote and the degree of control he had over them. It will be clear that I believe Augustine's influence to have been much more robust.

temporary restoration of property confiscated from them under the order of union (no. 115). In another edict of May, shortly before the process began, Marcellinus laid out equitable terms for the conduct of the proceedings and required leaders from both sides to subscribe to these (no. 116). After conducting the hearing, Marcellinus found in favour of the Catholics – hardly a surprise – and issued a new edict that brought the full weight of the law to bear on their Donatist opponents (no. 117). He prohibited Donatist meetings on pain of confiscation of the property where they occurred; ordered the restoration of property temporarily repossessed by Donatists to the Catholics; and demanded the immediate union of Donatist churches with their local Catholic counterparts.

In the years that followed, two further imperial laws attempted to fine-tune the process of enforcing unity. The first, issued on 30 January 412 to the Praetorian Prefect of Italy and Africa, laid out an elaborate schedule of fines in gold against Donatist recalcitrants that were graded according to the rank of the offender (no. 118). This was intended to carry the process of enforcing compliance all the way down the social scale, even as low as slaves and *coloni*. Two years later, on 17 June 414, a similar law, directed to the Proconsul of Africa, extended the range of penal liabilities to include *infamia*, the loss of the right to make contracts and a prohibition against participation in public assemblies (no. 119). It ordered the exile of Donatist clergy as well as anyone who gave them safe harbour, and it established a new schedule of fines. These last were now set in amounts of silver that were markedly lower than the earlier gold fines, but this time provision was made for those who chose to pay but then persisted in confessional obduracy. Such recidivists could be fined up to five separate times, whereupon they could be beaten and exiled. This, better than anything, reveals the Kafkaesque proportions that the project had reached: Donatist believers at all levels of society were hounded out and forced to pay crippling fines, yet they still refused to renounce adherence to their church. As a result, the emperor responded by ordering the imposition of multiple fines and eventually torture and exile against offenders of all ranks, from slaves up to *illustres*.

The death of Marcellinus, who was executed in connection with the usurpation of Heraclianus in September 413, rekindled Donatist hopes that the tribune's edict would be rescinded and their cause would prevail. Instead, to their great disappointment, Honorius emphatically reaffirmed it (no. 120, cf. 121). Even as late as 419 Augustine felt the need to compose his final anti-Donatist treatise against Gaudentius, the dissident bishop of

Thamugadi (Timgad), because the latter refused to obey two edicts issued by the *Tribunus et Notarius Dulcitius* ordering Donatists to surrender their churches in keeping with the *edictum cognitioris* of eight years earlier (no. 122). The dialogue had thus reached a total impasse. The intersubjective basis of communication had broken down, and Donatist holdouts were refusing to comply with state orders no matter how oppressive their enforcement.

The reign of Honorius thus demonstrates how the careful manipulation of the discursive process of law-making could be used to the advantage of those individuals and groups who understood its logic. Although the Catholic and particularly Donatist players in this dialogue are often masked by the nature and preservation of the communications transmitted to us through the sources, there can be little doubt that both Aurelius and Augustine played an important role in its unfolding. Aurelius's use of the annual Council of Carthage to provoke both the emperor and African officials to step up pressure on local Donatist leaders shows how much the Carthaginian bishop was in control of the process (nos 74–103). Augustine's back-and-forth with the emperor and his officials over Crispinus of Calama (nos 79–83) also demonstrates, at the micro level, how skilled he was at positioning his opponents precisely where he wanted them forensically, and then juridically. Moreover, the flood of his anti-Donatist writings, which began to appear precisely as this standoff heated up in 401, had a major impact on the final outcome of events. While we must be careful to keep in mind the gentler side of Augustine in these admonitory texts,⁴⁴ there can be no doubt that his skill at backing the Donatists into a rhetorical corner helped make the case to Honorius and his court that something had to be done – and that something proved to be remarkably harsh and unforgiving. Regardless of who was ultimately responsible for the distinct change in imperial tone so clearly attested in the sources – and it was surely always a collective of voices – the net outcome offers a perfect example of the way in which the legislative process was just part of a larger, linguistically mediated dialogue that only stands out as peculiar from other forms of discourse because it could be efficacious in mobilising the force of empire to the advantage of the winning side and the disadvantage of the losers.

44 Cf. Ebbeler 2012, 151–89.

Negotiating Sectarian Controversy

Now that we have narrated the course of the controversy as a sort of legislative history, it is worth stepping back and asking what can be learned about the process of engagement with the law in light of the events just described. The goal will be to explore what it is that resulted in a felicitous outcome for the Catholics and an abysmal one for the Donatists.

At the outset it should be noted that the self-avowed Donatist obsession with martyrdom is fundamental to the whole picture. The entire controversy was born of conflicts over who had sacrificed sufficiently for the faith; who had demonstrated the most unwavering commitment to a crucified Christ by refusing to collaborate with a persecuting Roman state. From the beginning the Donatists were a community that defined its boundaries around the notion of resistance to the state and that policed its membership using claims to its superior commitment to the ideal of sacred victimhood.⁴⁵ This was a discourse common to both sides of the dispute, but the Donatists stood out for insisting that they were the true ‘church of the martyrs’.⁴⁶ This valorisation of suffering at the hands of the imperial government provided the Donatists with the conceptual apparatus needed to create an identity separate from that of the Roman state and to maintain it even in the face of extreme pressure from a Christian imperial superstructure. To be a Donatist was to endure persecution, so that the continuation of persecution even after the establishment of Christian state religion was in many ways optimal for the ongoing identity construction of the dissident church.

Secondly, insofar as the law was concerned, the control of property was always central to the dispute. It was, after all, Constantine’s laws granting the return of confiscated property after the Great Persecution as well as those giving access to imperial subsidies and immunity to curial service to clergy that brought the whole controversy to the emperor’s attention in the first place (nos 1–4). Throughout the dispute the control of basilicas and other real property continued to provide a flashpoint around which battles – legal and physical – erupted. This was partly for the simple reason that control of real property equalled power, but also because the reality of a church as an embodied community assumes the maintenance and

45 Lenski 2013; 2016.

46 See, for example, Primianus of Carthage’s response to the imperial order of 403 that he give testimony to his faith, *Gesta Coll. Carth.* 3.116: *Indignum est ut in unum conventiant filii martyrum et progenies traditorum.*

manipulation of physical space. In the face of the law property became a focal point of attention because property was an inherently governmental matter: before the fourth century confessional adherence had not been a matter of great concern in the eyes of the government, but property disputes were fundamental to Roman law going back to the Twelve Tables. One key method for isolating and overcoming religious opponents was thus to defeat them in a court of law over property claims. This was clear, for example, at the Council of Carthage in 411, when the Tribune Marcellinus followed strict legal procedure by granting a return of property seized from the Donatists after 405 while their case was returned for consideration on appeal of the issue (*restitutio in integrum*: see no. 115).⁴⁷

Ultimately the Catholics prevailed because they understood better the fundamentally dialogic nature of law-making and took advantage of this to out-compete their opponents on the forensic stage. To be sure, the Donatists were fighting an uphill battle. Because they were competing with the establishment church, which enjoyed connections with the bishop of Rome and through him the emperor, they were faced with the task of crafting an identity that could simultaneously emphasise confessional independence while also avoiding the appearance of threatening the unity of the church. Rather than pursue this strategy, however, they insisted on their own exclusive righteousness to the detriment of all other claimants, with the result that the emperors, beginning with Constantine, expressed disaffection and even disgust with their cause. Constantine's letter to Caecilianus of 312/313, the first intimation of imperial awareness of the controversy, refers to the dissident opponents of Caecilianus as 'men of unsettled mind', and the emperor's tone quickly sharpens in subsequent communications as he categorises the Donatists as sickened, poisoned, stubborn, seditious, insane, in league with pagans and minions of the Devil.⁴⁸ This sort of

47 On *restitutio in integrum*, see Kaser 1996, 485–500.

48 Eusebius, *Hist. Eccles.* 10.6.4 (312/3): τινὰς μὴ καθεστῶσης διανοίας τυγχάνοντας ἀνθρώπους; Optatus, *De Schism. Donat.* 5 (a. 314): 'tanta vesania perseverat ... quae vis malignitatis in eorundem pectoribus perseverat! ... quid igitur sentiunt maligni homines officia, ut vere dixi, diaboli? perquirunt saecularia relinquentes caelestia. O rabida furoris audacia! ... quotquot huius insaniae similes invenerit'; Optatus, *De Schism. Donat.* 7 (a. 315): 'qui a veritate Dei digressi errori se pravissimo dederunt ... insaniae suae obstinationisque temerariae faciam merita exitia persolvere ... discussis erroribus omnibusque temeritatibus amputatis'; Optatus, *De Schism. Donat.* 10 (a. 330): 'non dubium est haeresis et schisma a diabolo, qui caput est malitiae, processisse ... efficere insanus, perfidus, inrelegiosus, profanus,

fuming was typical of Constantinian legal pronouncements more broadly, but even had the dissidents known this to be a bad habit of Constantine's, it would have been cold comfort to a group that surely saw the emperor's own 'madness' – in both senses of the word – as evidence that the new 'Christian' ruler was every bit as dangerous to their religion as his pagan predecessors had been. These sorts of rhetorical fusillades are considerably rarer in subsequent legal pronouncements from the mid-fourth century, in part because of the abbreviated nature of the sources that survive to us from this period. Unlike the Constantinian letters, which are transmitted in full, our mid-fourth-century texts are generally preserved as excerpted dispositions in the *Codex Theodosianus*. But even the longer constitutions that survive from the reign of Honorius, including two that are preserved complete in the *Sirmondian Constitutions* (nos 101 and 106), while far from pacific, are staid in comparison with Constantine's rants. Regardless, imperial normative pronouncements about the controversy would have left little doubt that the emperors and their agents generally opposed the dissidents' cause, even when they occasionally granted them concessions.⁴⁹

Despite this negative predisposition of the emperors toward the Donatist cause, the Catholics of North Africa seem to have been unwilling or unable to mobilise any intensive imperial effort to suppress the movement before the end of the fourth century. When the state was finally enlisted for a serious crackdown, this was largely achieved by the Catholics out-competing their Donatist opponents in the discursive realm. This process can best be judged by the writings of Augustine, who – as Brent Shaw has shown – looms so large over the entire question that it is difficult

deo contrarius ... qui a diabolo possessi sunt, eius falsitati et nequitiae obsecuntur ... qui malo impiae mentis infecti sunt ... sicuti est eorum perversitas maligna et perfida, ad seditiones usque prorumperent ... de impiis et sceleratis, sacrilegis et profanis, perfidis et inrelegiosis et deo ingratis et ecclesiae inimicis.'

- 49 *Gest. Coll. Carth.* 3.174: 'deviae plebis ... superstitione supposita'; *CTh* 16.6.3: 'devios errores'; *CTh* 16.6.4: 'feralibus sacrilegiis'; *Sirm.* 12 = *CTh* 16.5.43 + 16.10.19: 'vis mali humana pariter ac divina permiscens deceptos plerosque persuasionibus pravis tam in praesens quam in futurum impellit exitium et deo simul ac nobis perdit infelicitium vitas'; *CTh* 16.5.44: 'Quae pestis cave contagione latius emanet ac profluat'; *Gest. Coll. Carth. edictum Cognitoris*: 'Sed quia obstinatio mentium perditarum quas pravae simul persuasionis vincula nexuerant ad viam salutis ostensae aut redire dissimulat aut, quod est deterius, inpudentia reformidat, exserenda iam legum est et exercenda sententia, ut quos ad bonam valetudinem leniora post apertam comminus veritatem medicamina non revocant acrior restituat curationis intentio.'

to disentangle any impartial version of events from his patently tendentious construction of the story. His role was certainly large – larger, in fact, than Augustine himself would wish us to believe – but there are enough hints from outside his writings that we can also attribute agency to other players.

One of the Catholics' primary arguments was that, although the Donatists claimed to shun the instruments of the state, they in fact resorted to them regularly in their efforts to enforce claims both against their Catholic opponents and against dissidents from within their own ranks. Under Constantine there can be no doubt that it was imperial involvement that the Donatists craved, for they believed they could prevail in an imperial instance if only they were given the chance. In the event this proved not to be the case, but, even after Constantine's judgement against them at Milan in 316, the Donatists continued to resort to the state for the resolution of disputes. One of our earliest documents regarding the controversy from North Africa, for example, records the proceedings of a trial against Silvanus, the Donatist bishop of Cirta/Constantina, initiated by his deacon Nundinarius before the civil court of the *Consularis Numidia* in 320 (no. 40). This resort to imperial mediation over an internal dispute within the Donatist community was certainly noticed by Optatus when he included this document in the appendices to his *Books against the Donatists* in the mid-360s.⁵⁰ In fact, from the 360s onward, the Donatists' regular recourse to 'imperial' support began increasingly to backfire as they made a number of missteps by turning to weak or unwelcome claimants to the throne for the furtherance of their cause. Their appeal to Julian in 361 bought them a brief reprieve from imperial oppression (nos 57–8), but only at great cost in the rhetorical economy of claims to justice: ultimately it allowed their Catholic opponents to tar the dissidents with allying themselves to an apostate and persecutor (esp. no. 92). Similarly, their prosecution of the breakaway bishop Rogatus of Cartenna in the court of the African official-cum-rebel Firmus (no. 60)⁵¹ may have provoked the lone rescript we have against Donatism from Valentinian (no. 59), an emperor who generally steered clear of church disputes.⁵²

More certain connections between Donatist appeals to governmental support from dubious political authorities and subsequent imperial

50 On the date of Optatus' original, six-book work, see Shaw 2011, 149 and nn. 8–10.

51 Augustine, *C. Ep. Parm.* 1.10–1[16–7]; *C. Litt. Petil.* 2.83[184].

52 On Valentinian's religious policy, see Lenski 2002, 234–42.

punishment can be found in Honorius's response to aid received by the Donatists from the usurper Gildo. Gildo came onto the scene shortly after a massive rift had opened in the dissident church between the rival claimants to the see of Carthage, Maximianus and Primianus. As we have seen above, when the council held at Bagaï in 394 found in favour of Primianus, he and his supporters turned to the imperial courts in order to help them reclaim church structures from Maximianus and his followers (nos 66–70, 72).⁵³ More problematic still, when the Maximianist bishop of Assuras, Praetextatus, and his colleague, Felicianus of Musti, refused to submit to the order of two separate Proconsuls to surrender their churches, Optatus, the Primianist bishop of Thamugadi, enlisted military support from the usurper Gildo to help drive the Maximianists away violently from church property.⁵⁴ Augustine recurred to this incident again and again as a crystalline example of both the Donatist proclivity toward violence and Donatist hypocrisy in claiming to have no interest in support from the secular state.⁵⁵ The same rhetorical stratagems were also deployed in petitions that went forward to the imperial chancery by the Catholics from their annual councils held in Carthage.⁵⁶

That the emperors were susceptible to such rhetorical claims is nowhere better evinced than in an order of Honorius to the Praetorian Prefect Hadrian issued in late February 405. In it the emperor makes clear that he wishes Julian's rescript to the Donatist church to be posted publicly as an open mark of shame against the dissident church (no. 92):

We desire that the rescript that the Donatists are reported to have demanded from Julian when he was emperor should be posted in the most public places, appended to the edict, and that the records in which this request was inserted should be subjoined, so that it may be clear to all that the constancy of the Catholic church is well established and the desperation of the Donatists besmirched with perfidy.⁵⁷

53 Augustine, *Enarr. in Ps.* 21 II.31; *C. Cresc.* 3.56[62]; 3.59[65]; 4.1[1]; 4.46[55–6]; *Ep.* 44.4[7]; Maier 1989, 96 n. 5.

54 *PCBE* I Optatus 2.

55 E.g. Augustine, *C. Ep. Parm.* 1.4[9]; 2.3[7]; cf. Lenski 2013, 247–50.

56 *Gest. Coll. Carth.* 3.174.

57 *CTh* 16.5.37 (Feb. 26, 405): 'Rescriptum, quod donatistae a Iuliano tunc principe impetrasse dicuntur, proposito programme celeberrimis in locis volumus anteferri et gesta, quibus est huiusmodi allegatio inserta, subnecti, quo omnibus innotescat et catholicae confidentiae stabilita constantia et donatistarum desperatio fucata perfidia.'

The edict to which Honorius refers is clearly his own order of union published just weeks earlier (no. 89), making it evident that the emperor saw a close connection between the mendacious claims of the Donatists to avoid state intervention and the need to put a stop to their intransigence with legislative action. Although there is no guarantee where Honorius derived this connection, one obvious place would have been Augustine's *Contra Parmenianum*, published in 401, in which the author points out the rich irony in Donatist claims to avoid state intervention when they themselves had petitioned for this rescript from a pagan emperor with pleas that 'he alone could provide them with justice'.⁵⁸ Further intimations that Augustine would have supported and may even have masterminded the public posting of Julian's rescript alongside Honorius's edict can be found in a letter of 412 in which he urges the Comes Marcellinus to post the trial records against several Donatists who had recently murdered and maimed a pair of Catholic priests in the Carthaginian church known as the Theoprepeia, which was controlled by Donatists.⁵⁹ These were precisely the sorts of rhetorical gestures that Augustine knew were crucial to victory. Yet, regardless of whether Augustine played a role in influencing Honorius's choice to order the attachment of Julian's rescript to public postings of his edict of 405, this move constituted a discursive strategy that had been set up for him by the Catholics of North Africa. It was, of course, also a speech act that would have profound consequences for the lives of its rhetorical targets because of the edict's dispositive force as law.

This complex of ideas and normative realities offers abundant proof that the Donatist controversy was a battle largely fought and won on a symbolic level. The winner was bound to be the side that gained the discursive high ground – by claiming victory in the courts, but also by claiming victory in the discourse of martyrdom and long-suffering (*patientia*). This is why violence and, above all, talking about violence were so crucial to the whole affair. If only Christian emperors had avoided

58 Augustine, *C. Ep. Parm.* 2.97[223]: 'non dicimus: si vos non sperastis in homine et in principe, cum homini imperatori pagano et apostatae dixistis, quod apud eum sola iustitia locum haberet – quibus precibus et rescripto, sicut ibi scriptum est, sicut allegationis gesta testantur, pars Donati universaliter usa est.'

59 Augustine, *Ep.* 139.1.

violence against the Donatists it would have been difficult for the latter to assert any claims to moral superiority over their imperially sponsored opponents. Once Constantine had crossed this line in 317, however, the Donatists momentarily gained the upper hand in the ethical passion-play of holy suffering. Recognising this, Constantine promptly backed away from his aggressive posture and spent the last 16 years of his reign combating the Donatists on a strictly rhetorical battlefield. His son Constans, however, offered more grist for the Donatists' mill with his creation of martyrs at Carthage, Nova Petra and Bagaï in the 340s. In the years following we have no solid evidence for Donatist martyrdoms before the reign of Honorius.⁶⁰ Even under Honorius, while indications of violence – both Donatist and Catholic – escalate, there are very few clear-cut examples of killing. On the Catholic side at least this had something to do with an orchestrated campaign, most clearly attested in the letters of Augustine to various governors, to avoid ever carrying disciplinary force to a level that would result in death.⁶¹ Instead, in the period after 401, it was the Catholics who began carefully cataloguing incidents of violence against themselves in order to deploy these in their bid for the position of moral superiority. Such incidents were themselves few and far between, and killings very rare, but the Catholics had the advantage that mere beatings and public disorder sufficed to underpin their own case against the disorder, the lawlessness and the savagery of the Donatists.⁶²

This fact resulted largely from the reality that the Catholics had the authority of the state on their side from the beginning. It was in the interests of the state to maintain public order and to provide a judicial venue for the redress of grievances in the face of those who committed violent acts against free citizens. It is thus of little surprise that the reports of circumcellion violence generated by the Council of Carthage (nos 84–5, 102–3) and the vivid stories of the Catholic bishop Maximianus of Bagaï (no. 88), covered with scars from his run-in with circumcellions, were instrumental in convincing Honorius to issue his edict of union in 405.

60 The dated epitaphs of Ala Miliaria (Benian) begin to record *memoriae* for Donatist martyrs in 422, Maier 1989, 402–5; cf. Y. Duval 1982, 405–17 n. 192–5.

61 Augustine, *Epp.* 100.1; 134.2–4, 139.2, 152.1–3; cf. 138, 153 *passim*. See also Kaufman 2003.

62 Augustine must recur repeatedly to the star examples of Restitutus, who was murdered, and Innocentius, who lost an eye and a finger: cf. *Ep.* 133.3, 134.2–4, 139.1–2; cf. *PCBE* I Innocentius 8; Restitutus 18.

That this sort of tattletale strategy was effective is also evinced by a fascinating law of 409, preserved entire in the *Sirmondian Constitutions*, in which Honorius ordered an investigation into instances where bishops had been dragged from their homes and churches and abused without these incidents being reported to his court (nos 106–7). This constitution is interesting on two counts: first because it shows how closely the North African Catholics were connected to the court at Ravenna, for neither the governors nor the Praetorian Prefect seem to have known anything about these incidents, which were reported to the *consistorium* by some anonymous third party that must have been connected with the Catholic cause; and second because the constitution not only issues severe criminal penalties for *iniuria* but also alters the way in which actions for *iniuria* against bishops were prosecuted. *Iniuria* was an offence akin to assault but broader in its construction – it constituted actionable affronts, verbal or physical, to an individual's personhood. Through the high Empire it had been considered a civil offence, to be redressed only when the aggrieved party brought suit.⁶³ Although this delict was treated increasingly as a criminal matter from the third century onward, its roots in civil law procedure were clear from the fact that, even in the late Empire, action was brought only when the victim took his or her grievance to a magistrate for redress.⁶⁴ After receiving the petition reporting assaults on Catholic bishops in 409, however, Honorius was no longer satisfied with this method of reporting:

Was it to be expected that the bishops themselves were going to initiate accusations contrary to the sanctity of their profession and prosecute their own *iniuriae* and demand vengeance with the death of their victims, even though the bishops should be avenged whether they themselves wish it or not.⁶⁵

Insofar as imperial officials may have heard of these incidents and failed to act, they seem to have assumed that it was incumbent on the plaintiff to bring suit, failing which, no further action lay. To remedy the

63 du Plessis 2010, 339–42.

64 Krause 2014, 9–10, 25, 232.

65 *Sirm.* 14 (15 January, 409): ‘Expectandum fuit institutis accusationibus contra professionis propriae sanctitatem, ut episcopi suas persequerentur iniurias et reorum nece deposcerent ultionem, quos invitos decet vindicari; cf. Adque ita provinciae moderator ... nec expectet, ut episcopus iniuriae propriae ultionem deposcat, cui sacerdotii sanctitas ignoscendi solam gloriam derelinquit.’ Note that the word *iniuria* occurs seven times in the constitution.

situation, Honorius ordered the establishment of a reporting system which was to be delicately micromanaged at the civic level and could prevent such abuses from occurring without his knowledge while also ensuring their prosecution as capital crimes. Someone had thus got to Honorius and convinced him to move the prosecution of *iniuria* against Catholic clerics entirely into the realm of criminal procedure – not just its prosecution and punishment but also its investigation and reporting. Here, again, the petition and response system led to not just the enforcement but also the creation of new law.

Conclusion

The Donatist controversy was played out on many levels: ecclesial, doctrinal, polemical, physical, personal and, of course, legal. While none of these could be privileged as salient in defining the shape of the dispute, the legal issues at stake in many ways provide the clearest contours by which to gauge the outlines and progress of its development. Legal privileges granted by Constantine to the church brought the troubles out into the open, and the legal pronouncements of Constantine constitute our first evidence for its earliest stages. We can then track the course of the schism using a remarkably rich legal documentation that lasts down through the reign of Honorius. This material shows us many things both about the Donatist–Catholic debate and about the nature of Roman legal history.

First, it shows the complexity of Roman legal procedure and its manifold articulation into a variety of documentary forms. At the same time, it also reveals how simple the system ultimately was, for, multifarious though the legal components happened to be, they ultimately boiled down to a dialogue based on communications between imperial subjects (petitions) and efficacious enactments from the emperor or his officials (responses).

Second, the legal evidence shows us that there was no single, consistent response to Donatism on the part of the emperor, but rather a series of general approaches that developed over time: Constantine tried both to avoid offering judgement on the controversy and to avoid using violence to suppress it; although he eventually did both when he condemned the Donatists in Milan in 316 and then issued an order of union against them whose enforcement provoked open attacks, he quickly retreated from armed violence and left the Donatists untouched from 321 down to his death in 337; his son Constans began in the same spirit of toleration, but

allowed himself and his officials to be pulled into enforcing the order of union violently, with disastrous consequences that added new fuel to the dissident fire; Constans's successors did the better part of nothing through the reign of Theodosius, for these issued no particularly harsh laws against Donatism and, with the exception of Gratian, did little to enforce Constantine's original order of union; finally, Honorius took much harsher and more systematic measures, largely because he allowed himself to be provoked into action by Catholic bishops in North Africa; his efforts culminated in the Edict of Union of 405 and the Council of Carthage of 411, after which imperial laws against the Donatists became remarkably invasive and draconian.

Third and last, the legal history of the Donatist controversy shows how the legal system could be gamed and manipulated by successful practitioners based on their control of information and above all their skill at manipulating its interpretation with rhetoric. Because law is ultimately a peculiarly efficacious speech act and is thus discursively regulated through language, adepts at rhetoric such as Augustine and Aurelius were able to convince the emperor to create and enforce laws that punished their dissident opponents while benefiting their own Catholic cause. Although the Vandal invasions interrupted the development of the controversy in ways that prevent us from knowing what might have been the outcome of the Orwellian universe brought into being by these North African bishops and the emperor in the early fifth century, it is beyond doubt that Aurelius and Augustine, along with a select group of powerful Catholic clergy, had discovered a formula that allowed them to compel state power to enforce religious adherence to their own advantage using the instruments of law.

Appendix:
Imperial Communications Related
to the Donatist Controversy⁶⁶

Noel Lenski

Bold italic indicates that the technical form (e.g. edict, rescript, petition, etc) of a document is certain, whether because of its preserved format (e.g. it contains an epistolary heading, as no. 7), or because the document contains an internal reference to its technical form (e.g. no. 10), or because an external reference to the document directly identifies its form (e.g. no. 5).

Regular italic indicates that the technical form of the document can be inferred from its content but is not certain.

Corcoran refers to: S. Corcoran, *The Empire of the Tetrarchs: Imperial Pronouncements and Government, AD 284–324*, revised ed. (Oxford, 2000).

Maier refers to: J.-L. Maier, *Le dossier du donatisme. Texte und Untersuchungen zur Geschichte der altchristlichen Literatur* 134–5, 2 vols (Berlin, 1987–9).

Soden refers to: H. von Soden, *Urkunden zur Entstehungsgeschichte des Donatismus*, 2. Auflage, H. von Campenhausen (ed.) (Berlin, 1950).

Constantine (306–37)

1. ***Letter*** (late 312/early 313): Eusebius, *Hist. Eccles.* 10.5.15–7 = Maier no. 11 = Soden no. 7 = Corcoran letter 59: Constantine orders Anullinus (Proconsul Africae) to restore property owned by Christians but now in private hands (owing to confiscation during the persecutions) to the churches.⁶⁷

66 Soden 1950 and Maier 1987–9 present much of this material, but both are designed as catalogues of sources and are thus articulated text by text. This list focuses instead on legal actions and breaks these down into their component communicative transactions. A single text in Soden or Maier may thus result in multiple entries here, and, in contrast with Maier, entries are also listed for transactions mentioned in the source record without being quoted verbatim.

67 Note that at some point in his reign Maxentius had already ordered the restoration of property to Christians: see Augustine, *Brev. Coll.* 3.18[34] (CSEL 53.84); *Ad Donat. post. coll.* 13[17] (CSEL 53.113–4); *Gest. Coll. Carth., cap. gest.* 3.498–500 (CCSL 149A.47). All three sources indicate that the order was forwarded to the North African church through Miltiades of Rome, who was consecrated on July 2, 311 (*Chron.* 354, episc. Rom. [MGH AA 9.76]), which makes it unlikely that

2. **Letter** (early 313): Eusebius, *Hist. Eccles.* 10.6.1–5 = Maier no. 12 = Soden no. 8 = Corcoran letter 60: Constantine orders Caecilianus (Catholic bishop of Carthage) to consult with Ursus (Rationalis Africae) in order to receive a subsidy of 3,000 *folles*; other ministers of the legitimate and most holy catholic religion (τῶν ὑπηρετῶν τῆς ἐνθέσμου καὶ ἀγιωτάτης καθολικῆς θρησκείας) in Africa, Numidia and Mauritania may receive similar grants; the emperor has learned that ‘some men who happen to be of unsettled mind’ (τινὰς μὴ καθεστώσης διανοίας τυγχάνοντας ἀνθρώπους) wish to turn people away from the most holy Catholic church; if Caecilian learns of these, he should report them to Anullinus (Proconsul Africae) or Patricius (Vicarius Africae) for correction.
3. **Letter** (early 313): Eusebius, *Hist. Eccles.* 10.6.1–5 = Maier no. 12 = Soden no. 8 = Corcoran letter 60: Constantine sends a letter (γράμματα) to Ursus (Rationalis Africae) ordering him to put 3,000 *folles* at the disposal of Caecilianus for redistribution according to a schedule (βρέουιον) drawn up by Hosius (bishop of Corduba?).
4. **Letter** (February 313): Eusebius, *Hist. Eccles.* 10.7.1–2 = Maier no. 13 = Soden no. 9 = Corcoran letter 63: Constantine orders Anullinus (Proconsul Africae) to grant exemption from public duties to those who serve the holy religion of the Catholic church over which Caecilianus presides.
5. **Report** (15 April 313): Augustine, *Ep.* 88.2 (CSEL 34.408) = Maier no. 14 = Soden no. 10 = Corcoran letter 63a: Anullinus (Proconsul Africae) acknowledges receipt of Constantine’s letter (no. 4); transmits news to Constantine that Caecilianus strives for unity, but a group from the *populus* has emerged and presented 1) a dossier against him sealed in leather and 2) a separate unsealed petition (*fasciculum in aluta signatum et libellum sine signo*) which Anullinus transmits to Constantine; the first is titled *libellus ecclesiae catholicae criminum Caeciliani traditus a parte Maiorini*; cf. *Gest. Coll. Carth., cap. gest.* 3.315 (CCSL 149A.35–6): *<recitatio> relationis ad Constantinum imperatorem ab Anulino proconsule destinatae, qua Maiorinus obstitisse Caeciliano <et> chartas criminum eius proconsuli ad principem dirigendas tradidisse signatur*; *Gest. Coll. Carth.* 3.215–20 (CCSL 149A.232–4); Augustine, *Brev. Coll.* 3.12[24] (CCSL 149A.289).
6. **Petition** (15 April 313): Optatus, *De Schism. Donat.* 1.22.1–2 (Sch 412.220–2) = Maier no. 15 = Soden no. 11 = Corcoran letter 63b: Dissident bishops

Maxentius’s restoration was in force before this date. This process had obviously not been completed by the time Constantine issued this letter.

(Lucianus, Dignus, Nasutius, Capito, Fidentius, *et ceteri*) transmit a petition (*preces*) to Constantine to allow judges (*iudices*) from Gaul to be assigned in order to decide their case.⁶⁸

7. **Rescript** (Spring 313): Optatus, *De Schism. Donat.* 1.23.1 (Sch 412.222–4) = Corcoran letter 63c: Constantine issues a rescript (*responsio*) in which he orders a hearing of the case at Rome before Maternus (bishop of Colonia Agrippinensis), Reticius (bishop of Augustodunum), and Marinus (bishop of Arelas).
8. **Letter** (Spring/Summer 313): Eusebius, *Hist. Eccles.* 10.5.18–20 = Maier no. 16 = Soden no. 12 = Corcoran letter 67: Constantine orders Miltiades (bishop of Rome) to hear the case of Caecilianus, who is to travel to Rome with ten supporters to answer accusations by ten dissident accusers; Miltiades is to be joined by Gallic bishops (Reticius, Maternus and Marinus); Constantine adjoins copies of the documents sent to him by Anullinus (Proconsul Africae); cf. *Gest. Coll. Carth. cap. gest.* 3.318 (CCSL 149A.36).
9. **Report** (Spring/Summer 313): *Gest. Coll. Carth. cap. gest.* 3.317 (CCSL 149A.36): Anullinus (Proconsul Africae) transmits news to Constantine that he has ordered Caecilianus to proceed to Rome with ten supporting clerics and ten adversaries; cf. Augustine, *Brev. Coll.* 3.12[24] (CCSL 149A.289).
10. **Decretum** (2–4 October 313): Optat. 1.24.2 (Sch 412.226) = Maier no. 17 = Soden no. 13: Miltiades and a jury of three Gallic and 15 Italian bishops reach a decision (*sententiis*) that Caecilianus is innocent of all charges and condemn the dissidents for rebaptising; cf. *Gest. Coll. Carth. cap. gest.* 3.319–25 (CCSL 149A.36); Augustine, *Brev. Coll.* 3.12[24], 17[31] (CCSL 149A.289, 296); *Ep.* 43.5[16] (CSEL 34.97–8).
11. **Report** (early 314): Optatus, *De Schism. Donat.* App. 3 (CSEL 26.204–6) = Maier no. 18 = Soden no. 14: the bishops who judged the case in Rome sent a report to Constantine that included the *acta* of the trial.
12. **Letter** (early 314): Optatus, *De Schism. Donat.* App. 3 (CSEL 26.204–6) = Maier no. 18 = Soden no. 14: Aelafius (Vicarius Africae) writes (*dictationis tuae scripta*) to Nacasius and others concerning ongoing deceits (*simulationes*) and copies Constantine on the document.

68 Girardet 1989a argues convincingly that the document transmitted in Optatus is a forgery, but Anullinus's *relatio* mentioned at Augustine, *Ep.* 88.2 (CSEL 34.408) = no. 4 clearly indicates a petition went forward to Constantine from the Donatists, regardless of whether we now possess a copy. On this document see Corcoran 2000, 156–7.

13. **Embassy** (early 314): Optatus, *De Schism. Donat.* App. 3 (CSEL 26.204–6) = Maier no. 18 = Soden no. 14: A group of dissidents has come to Constantine in order to make a personal appeal against Caecilianus (*venerunt adserentes* ...); he expresses dismay that this will tarnish Christian religion in the eyes of pagans; the dissidents charge that their case had not been heard in full and that the bishops at Rome had sequestered themselves and issued a judgement too early; cf. Augustine, *Ep.* 88.3 (CSEL 34.409): *non recte iudicatum neque omnem causam auditam esse conquesti sunt*; Augustine, *Ep.* 43.7[20] (CSEL 34.101–2): *iudices enim ecclesiasticos tantae auctoritatis episcopos, quorum iudicio et Caeciliani innocentia et eorum improbitas declarata est, non apud alios collegas sed apud imperatorem accusare ausi sunt, quod male iudicarint.*
14. **Letter** (early 314): Optatus, *De Schism. Donat.* App. 3 (CSEL 26.204–6) = Maier no. 18 = Soden no. 14: Constantine informs Aelafius (Vicarius Africae) about the Council of Rome (no. 10), which pronounced Caecilianus innocent and forbade the return of the dissidents to Africa; responding to the embassy of the dissidents (no. 13), Constantine orders Aelafius to inform Caecilianus that he must travel to Arles along with supporters from Byzacena, Tripolitania, Numidia and Mauritania; his adversaries must also meet in Arles for judgement of the case; all may use the *cursus publicus* and must arrive by 1 August; judgement must be rendered before they depart.
15. **Letter** (Spring 314): Eusebius, *Hist. Eccles.* 10.5.21–4 = Maier no. 19 = Soden no. 15: Constantine orders Chrestus (bishop of Syracuse) to attend the council at Arles by August 1; Chrestus may use the *cursus publicus* to travel.
16. **Decretum** (1 August 314): Optatus, *De Schism. Donat.* App. 4 (CSEL 26.206–8) + Optat. App. 5 (CSEL 26.208–10): Bishops at Arles find Caecilianus innocent of all charges and Donatists guilty of bringing false charges (Optat. App. 5 line 30, *iustissima diiudicatio*; line 49, *recta iudicatio*; line 59–60, *rectum iudicium datum*; line 69, *iudicium Christi*; line 88–9, *caeleste iudicium*).
17. **Letter** (1 August 314): Optatus, *De Schism. Donat.* App. 4 (CSEL 26.206–8) = Maier no. 20 = Soden no. 16: Council of Arles reports to Silvester (bishop of Rome) on its verdict; forbids rebaptism as heretical.
18. **Appeal** (late summer 314): Optatus, *De Schism. Donat.* App. 5 (CSEL 26.208–10) = Maier no. 21 = Soden no. 18.⁶⁹ Donatists appeal the decision of Arles to Constantine (*sicut in causis gentilium fieri solet, appellationem*

69 The arguments of Rosen 2011 that Constantine's letter to the bishops of Arles is a

interposuerunt); cf. Optatus, *De Schism. Donat.* 1.25.1–2 (SCh 412.226); *Et tamen Donatus appellandum esse credit*; Augustine, *Ep.* 43.2[4], 7[20] (CSEL 34.88, 101–2); *a quibus tamen illi ad ipsum rursum imperatorem provocare maluerunt*; *Ep.* 53.2[5] (CSEL 34.156); 76.2 (CSEL 34.327); 88.3 (CSEL 34.409); 89.3 (CSEL 34.421); 105.2[8] (CSEL 34.601); *Sermo Denis* 19.8 (*Miscellanea Agostiniana* 1.105–6).

19. **Letter** (*late summer 314*): Optatus, *De Schism. Donat.* App. 5 (CSEL 26.208–10) = Maier no. 21 = Soden no. 18: Constantine responds to the Council of Arles's report by rejoicing in its findings and criticising the Donatists for stubbornness, insanity and complicity with the Devil; complains of the persistence of their appeals; associates the Donatists' interest in appeal with the legal habits of pagans; invites Catholic participants to return home; asks that Donatist dissidents be sent to his court.
20. **Letter** (*late summer 314*): Optatus, *De Schism. Donat.* App. 5 (CSEL 26.210) = Maier no. 21 = Soden no. 18: Constantine reports that the Vicarius Africae has been asked in a letter to assemble dissident leaders and send them to the court (*dedi litteras competentes ad eum, qui vicariam praefecturam per Africam tuetur, ut quotquot huius insaniae similes invenerit, statim eos ad comitatum meum dirigat*); cf. Optatus, *De Schism. Donat.* App. 8 (CSEL 26.212) = Maier no. 23 = Soden no. 22.
21. **Mandate** (*late 314?*): Optatus, *De Schism. Donat.* 1.27.1–6 (SCh 412.230–4): Constantine orders Aelius Paulinus (Vicarius Africae) to conduct a trial of Felix of Abthugni, consecrator of Caecilianus, to determine if he had been a *traditor* (1.27.2: *sedit cui erat iniunctum*).
22. **Letter** (*late 314/early 315?*): *Acta purgationis Felicis* = Optatus, *De Schism. Donat.* App. 2 (CSEL 26.197–8) = Maier no. 22 = Soden no. 19: Aelius Paulinus (Vicarius Africae) orders duumvirs of Abthugni in a letter (*litteras domini mei Aeli Paulini... epistolam Aeli Paulini*) to take depositions from Alfius Caecilianus (ex-magistrate at Abthugni during the persecutions) and other possible witnesses.
23. **Decretum** (*15 February 315?*):⁷⁰ *Acta purgationis Felicis* = Optatus, *De Schism. Donat.* App. 2 (CSEL 26.197–204) = Maier no. 22 = Soden no. 19:

forgery fail to convince, primarily because they are built on false assumptions about the level of Constantine's commitment to Christianity in 314.

- 70 On the date, see Maier 1987, 171–2. Note that this trial may have been conducted as a preliminary inquest to a case intended to be remanded directly to the emperor (CSEL 26.198.23–34: 'apud maximos imperatores causa agenda erit contra Caecilianum et Felicem').

- Aelianus (Proconsul Africae)⁷¹ holds inquest at Carthage into the conduct of Felix of Abthugni; pronounces him innocent; orders the imprisonment of one witness, Ingentius, for forgery; cf. Augustine, *Ad Donat. post Coll.* 33[56] (CSEL 53.158); *Ep.* 88.3 (CSEL 34.409); Optatus, *De Schism. Donat.* 1.27.4 (SCh 412.232).
24. **Report** (15 February 315?): *Gest. Coll. Carth. capit. gest.* 3.554, 558–9 (CCSL 149A.51); Augustine, *Brev. Coll.* 3.24[42] (CCSL 149A.304): Aelianus (Proconsul Africae) sends a report (*relatio*) of the trial of Felix of Abthugni to Constantine with accompanying documents.⁷²
 25. **Petition** (early 315?): Optatus, *De Schism. Donat.* 1.26.1 (SCh 412.226–8); cf. Augustine, *Brev. Coll.* 3.20[38] (CCSL 149A.302): Donatus petitions (*petiit*) Constantine to be allowed to return to Carthage.⁷³
 26. **Letter** (Apr. 28, 315): Optatus, *De Schism. Donat.* App. 8 (CSEL 26.212) = Maier no. 23 = Soden no. 22: Petronius Annianus and Iulianus (Praefecti Praetorio) inform Domitius Celsus (Vicarius Africae) that the Donatist bishops (Lucianus, Capito, Fidentius, Nasutius) and priest (Mammarius) detained at the imperial court following the Council of Arles are allowed to return to Africa; the letter grants them the use of the *cursus publicus* and grain rations for their journey as far as Arles, whence they will sail for Africa.
 27. **Appeal** (summer 315⁷⁴): Optatus, *De Schism. Donat.* App. 6 (CSEL 26.210–2) = Maier no. 25 = Soden no. 21: Donatists send embassy to Constantine to appeal for another trial: *Ante paucos quidem dies iuxta postulatum vestrum*; cf. Augustine, *Ep.* 88.4 (CSEL 34.410–1): *qui in praesentiarum agunt atque diurnis diebus interpellare non desinunt*.
 28. **Letter** (summer 315): Augustine, *Ep.* 88.4 (CSEL 34.410–1); *C. Cresc.* 3.70[81] (CSEL 52.485–7) = Maier no. 24 = Soden no. 20: Constantine
- 71 The Proconsul Africae stood in for the Vicarius, who was ill, to conduct the trial.
- 72 *CTh* 9.34.2, received by Aelianus on Feb. 25, 315, orders the punishment of those who post anonymous *libelli famosi*. This is probably connected to the Donatist controversy. Constantine felt compelled to issue two further laws to North African governors on the same problem: *CTh* 9.34.1 (Mar. 29, 319) and *CTh* 9.34.3 (Dec. 4, 320). See Shaw 2011, 433–5 on the role of *libelli famosi* in fuelling the controversy.
- 73 This petition is recorded only in Optatus's text at a point that is lacunose. It is thus unclear whether he was granted or denied permission to go back to Carthage at this point.
- 74 This probably occurred during Constantine's visit to Rome for his decennalia, which occurred 21 June–27 September; cf. Barnes 1982, 72.

informs Probianus (Proconsul Africae) of the background to the trial of Felix of Abthugni; asks Probianus to send Ingentius, who had given false testimony at the trial, to his court so that he can be prosecuted there; cf. *Gest. Coll. Carth. capit. gest.* 3.555–7 (CCSL 149A.51).

29. **Letter** (summer 315): Optatus, *De Schism. Donat.* App. 6 (CSEL 26.210–1) = Maier no. 25 = Soden no. 21: Constantine writes to African bishops to inform them that he had considered sending select friends (*amici*) to Africa to judge the case, but he has changed his mind and instead sent orders to Caecilianus to appear before his court in Rome; Caecilianus's Donatist accusers are also ordered to be present.
30. **Letter** (summer 315): Optatus, *De Schism. Donat.* App. 6 (CSEL 26.210–1) = Maier no. 25 = Soden no. 21: Constantine has sent orders (not extant) in a letter (*iuxta litteras meas*) for Caecilianus to appear at his court for a hearing before the emperor.⁷⁵
31. **Appeal** (summer 315): Augustine, *Ep.* 43.7[20] (CSEL 34.102): the Donatists charge that Caecilianus should have been condemned for his absence at Rome; appeal once again for an imperial instance: *...interpellatus ab eis praecepit ... tunc se aliqui eorum subtrahere coeperant fortasse indignati, quia non est eos imitatus Constantinus, ut iam statim atque velociter Caecilianum damnaret absentem.*
32. **Report** (summer 315): Optatus, *De Schism. Donat.* App. 7 (CSEL 26.211–2) = Maier no. 26 = Soden no. 23: Domitius Celsus (Vicarius Africae) sends report (*proxima etiam gravitatis tuae scripta*) to Constantine on tumults caused by Donatist partisans, especially Menalius.
33. **Letter** (autumn 315):⁷⁶ Optatus, *De Schism. Donat.* App. 7 (CSEL 26.211–2) = Maier no. 26 = Soden no. 23: Constantine informs Domitius Celsus (Vicarius Africae) that he intends to come to Africa and demonstrate in a judgement between Caecilianus and his Donatist accusers what sort of veneration and worship is due the highest divinity; he threatens destruction to those who continue to offend against the divine.
34. **Letter** (316): Augustine, *Ep.* 43.7[20] (CSEL 34.102): Constantine orders both parties to appear for imperial judgement at Milan: *...praecepit, ut Mediolanum sequerentur....*

75 Caecilianus did not appear in Rome, as we learn at Augustine, *Ep.* 43.7[20] (CSEL 34.101–2): ‘iussit enim ille, ut ei partes ad agendam causam Romam occurrerent. quo cum Caecilianus nescio qua causa non occurrisset ...’.

76 On the date, see Grasmück 1964, 77.

35. **Suggestion** (316?⁷⁷): Optatus, *De Schism. Donat.* 1.26.1 (*SCh* 412.226–8): Philumenus (supporter of Donatus) suggests to Constantine (*a Filumino suffragatore eius imperatori suggestum est*) that he detain Caecilianus in Brescia for the good of the peace (*bono pacis*); Constantine complies; cf. Augustine, *C. Cresc.* 3.69[80], 71[83] (*CSEL* 52.484, 487–8); *Ad Donat. post Coll.* 31[54] (*CSEL* 53.155).
36. **Decretum** (late summer 316):⁷⁸ Augustine, *C. Cresc.* 3.71[82] (*CSEL* 52.487) = Maier no. 27 = Soden no. 25: in a hearing (*iudicium*) at Milan Constantine finds Caecilianus innocent of Donatist charges; cf. Augustine, *Ep.* 43.7[20] (*CSEL* 34.101–2).⁷⁹
37. **Letter** (10 November 316): Augustine, *C. Cresc.* 3.71[82] (*CSEL* 52.487) = Maier no. 27 = Soden no. 25: dated at Augustine, *Ad Donat. post Coll.* 33[56] (*CSEL* 53.158): Constantine informs Eumalius (Vicarius Africae) of his judgement (*sententia*) at Milan that Caecilianus is innocent of Donatist charges.
38. **Embassy** (late 316): Optatus, *De Schism. Donat.* 1.26.1–2 (*SCh* 412.228–30) = Soden no. 24: Bishops Eunomius and Olympius are sent (*missi sunt*) from the imperial court to Africa to proclaim the imperial judgement for Caecilianus and declare the unity of the Catholic church (*catholica*); they spend 40 days in Carthage; Donatists lodge a grievance against them; cf. Augustine, *Brev. Coll.* 3.20[38] (*CSEL* 53.87).
39. **Edict** (early 317?): Augustine, *Ep.* 88.3 (*CSEL* 34.409) = Soden no. 26: *primus contra vestram partem legem consuit, ut loca congregationum vestrarum fisco vindicarentur*; *Ep.* 93.14 (*CSEL* 34.458): *ille quippe imperator primus constituit in hac causa, ut res convictorum et unitati pervicaciter resistentium fisco vindicarentur*; *Ep.* 105.9 (*CSEL* 34.601): *tunc Constantinus prior contra partem Donati severissimam legem dedit*; *C. Litt. Petil.* 2.92[205] (*CSEL* 52.130): *Constantinus vobis basilicas iussit auferri*; *Passio Donati*

77 The petition was sent after Donatus's return to Africa in 314 and before Constantine's hearing of the issue at Milan in summer 316. It must have fallen close in time to the latter, but greater precision is not possible.

78 The summer can be inferred from the fact that Constantine moved to the Balkans in the autumn of 316 to meet Licinius at the Battle of Cibalae by 8 October 316; cf. Barnes 1982, 73. Barnes cannot, however, be right that Caecilianus's trial at Milan occurred in October 315, for Augustine, *Ad Donat. post Coll.* 33[56] (*CSEL* 53.158) makes it clear that Constantine informed Eumalius of the verdict at Milan in a letter (no. 37) dated 10 November 316 – more than a year after Barnes' proposed dating, which would be absurdly long to have waited to send this news.

79 Further sources on Milan at Maier 1987, 197 n. 2.

(BHL 2303) = Maier no. 28 = Dolbeau 1992, esp. 3 '*Christus, inquit, amator unitatis est; unitas igitur fiat.*'; cf. CTh 16.6.2: Constantine sends an order of union to the North African church, to be executed by Leontius (Comes), Ursatius (Dux) and Marcellinus (Tribunus); orders sanctions against Donatists, including confiscation of basilicas and, in some instances, exile of clergy (cf. Augustine, *Ad Donat. post Coll.* 33[56] [CSEL 53.158]); results in open violence, including martyrdom of Honoratus of Sicilibba and members of his church on 1 March 317(?).⁸⁰

40. **Decretum** (13(?)December 320): *Gesta apud Zenophilum consularem* at Optatus, *De Schism. Donat.* App. 1 (CSEL 26.185–97) = Maier no. 29 = Soden no. 28: Silvanus (Donatist bishop of Cirta) is accused by Nundinarius (his deacon) of being a *traditor*; charges are upheld in the civil court of Zenophilus (Consularis Numidia).
41. **Petition** (c. 321): Augustine, *Brev. Coll.* 3.20–2[38–40] (CCSL 149A.302–3) = Soden no. 29: *libellum ... datum Constantino a maioribus suis*; cf. *Ad Donat. post Coll.* 31[54] (CSEL 53.155); *Ep.* 141.9 (CSEL 44.243); *Gest. Coll. Carth. capit. gest.* 3.543–7 (CCSL 149A.50): Donatists send a petition (*libellus*) to Constantine proclaiming they will never be subordinate to Caecilianus 'that scoundrel bishop of his' (*antistiti ipsius nebuloni*); they ask for relief from the order of union.
42. **Letter** (5 May 321): Augustine, *Ad Donat. post Coll.* 31[54]; 33[56] (CSEL 53.155–6, 158) = Soden no. 30; cf. *Brev. Coll.* 3.21–2[39–40], 24[42] (CCSL 149A.303, 305); *Ep.* 141.9 (CSEL 44.242); *Gest. Coll. Carth. capit. gest.* 3.548–50 (CCSL 149A.50): Constantine informs the vicar of Africa Verinus⁸¹ in a letter (*litteras ad Verinum vicarium datas*) that he has revoked the exile of Donatist clerics and reserved punishment for their madness to God.
43. **Letter** (c. 321): Optatus, *De Schism. Donat.* App. 9 (CSEL 26.212–3) = Maier no. 30 = Soden no. 31: Constantine informs all bishops and laity in Africa and the people of the Catholic church that, because he has not been able to compel the Donatists to right belief, he wishes to show them mercy;

- 80 On the calendar date, see Dolbeau 1992, 255. The year cannot be fixed firmly but fell between 317 and 321, probably closer to the former.
- 81 See PLRE I Locrius Verinus 2. Note that Constantine issued a series of laws laying out harsh penalties for criminal activity to Verinus in 318/319 that may be related to the unrest in North Africa at the time; cf. CTh 9.15.1 (on parricide), 9.21.1 (on counterfeiting), 9.34.1 (on *libelli famosi*). On the probable connection between these laws and the Donatist controversy, see Grasmück 1964, 36.

he orders that they meet any offences of the Donatists with toleration and reserve all vengeance to God.

44. **Letter** (late 324): Eus. *VC* 2.66 = Maier no. 31 = Soden no. 32: Constantine informs Alexander (bishop of Alexandria) and Arius that he had hoped to send eastern bishops to Africa to quell the controversy but cannot because of infighting in the Eastern Church.
45. **Letter** (1 September 326): *CTh* 16.5.1 = Maier no. 32 = Soden no. 33: Constantine informs Dracilianus (Vicarius Orientis) that privileges granted to clerics apply only to Catholic clergy; heretics and schismatics are subject to normal obligations (*munera*).
46. **Petition** (5 February 330): Optatus, *De Schism. Donat.* App. 10 (*CSEL* 26.213–6) = Maier no. 33 = Soden no. 36: Numidian Catholic bishops (Zeuzius, Gallicus, Victorinus, Sperantius, Ianuarius, Felix, Crescentius, Pantius, Victor, Babbutius, Donatus) inform Constantine in a petition (*petitio*) that the Donatists have forcibly taken over the basilica of Cirta-Constantina; the bishops ask that Constantine allow them to build a new basilica using imperial funding.
47. **Letter** (5 February 330): Optatus, *De Schism. Donat.* App. 10 (*CSEL* 26.213–6) = Maier no. 33 = Soden no. 36: Constantine informs the Numidian Catholic bishops that he has received their petition; they are right to endure the abuses of the Donatists with *patientia* and to reserve vengeance for God; he has ordered his *rationalis* in a separate letter to transfer a house owned by the *res privata* to the Catholics at Cirta-Constantina so that a church can be built on its location at fiscal expense; he has written a separate letter to the Consularis Numidiae ordering him to assist them; any clergy of the Catholic church who have been drafted into curial service by the Donatists are to be excused, in keeping with his previously established law (*iuxta statutum legis meae* – see nos 4 and 45); he includes a copy of his law on Catholic clergy (*super ecclesiasticos catholicas*); since the schismatics wish to abide in their malice and evil deeds, it must suffice that they refrain from any wrongdoing (*sed quia constat eos in sua malitia manere et in suis facinoribus mori velle, sufficit hisdem commonitio nostra et praecedens assidua cohortatio si enim iussionibus nostris obtemperare voluissent, ab omni malo liberarentur*).
48. **Letter** (February 330): Optatus, *De Schism. Donat.* App. 10 (*CSEL* 26.213–6) = Maier no. 33 = Soden no. 36: Constantine orders his *rationalis* in a letter (*competentes litteras*) to transfer a house in Cirta-Constantina owned by the *res privata* to the Catholic bishops of Numidia so that a church can be built on its location at the expense of the imperial fisc.

49. *Letter (February 330)*: Optatus, *De Schism. Donat.* App. 10 (CSEL 26.213–6) = Maier no. 33 = Soden no. 36: Constantine has a letter sent to the Consularis Numidia (*scribi mandavi*) in order that he assist the Catholic bishops of Numidia in the construction of a new church at Cirta-Constantina to replace that taken over by the Donatists.
50. *Mandate (5 February 330)*: CTh 16.2.7 = Maier no. 34 = Soden no. 35: Constantine orders Valentinus (Consularis Numidia) to free from service any Catholic lectors, subdeacons, and other clergy who have been forced into curial service by the Donatists (*haeretici*) and orders him (*mandavi*) to uphold his law on clerical immunity.

Constans (337–50)

51. *Petition (mid-340s)*: Optatus, *De Schism. Donat.* 3.4.5–6 (SCh 413.40): Catholics(?) write a letter (*litteras*) to Taurinus (Comes Africae⁸²) to protest the use of *circumcelliones* for the confiscation of property, cancellation of debts and humiliation of slaveholders; Taurinus sends armed troops to markets; many are killed ‘*in loco Octavensi*’.
52. *Embassy (347)*:⁸³ Optatus, *De Schism. Donat.* 3.3.2; 3.4.8–12 (SCh 413.20, 42–4); cf. *Passio Marculi* 3.10 (Mastandrea 1995, 66): Constans sends (*misse*) Macarius and Paulus (imperial emissaries – *tribuni et notarii*?⁸⁴) to undertake a charitable embassy in order to distribute largesse while encouraging unity; they meet with resistance from *circumcelliones* enlisted by Donatus (bishop of Bagaï); Paulus and Macarius solicit military support from Silvester⁸⁵ (Comes Africae) and engage the Donatists at Bagaï in open conflict; many Donatist partisans are killed and Donatus of Bagaï is lynched and thrown down a well.
53. *Edict (347)*:⁸⁶ *Conc. Carth.* 345/348 praef. (CSEL 149.3); *Passio Isaac et Maximiani* 3.18 (Mastandrea 1995, 77); *Passio Marculi* 3.9–10, 4.14 (Mastandrea 1995, 66–7); Optatus, *De Schism. Donat.* 3.1.1–4, 3.3.2–3 (SCh 413.8–10, 20–2); Augustine, *Ep.* 105.3[9] (CSEL 34.601); CTh 16.6.2: Constans issues a new order of union; some Donatist leaders are exiled.
54. *Decretum (August, 347)*: *Passio Isaac et Maximiani* (BHL 4473 = Mastandrea 1995, 76–88 = Maier 1987, no. 36): After the Proconsul Africae (anonymous)

82 See PLRE I Taurinus; PCBE Taurinus. On this event, see Shaw 2011, 168–70.

83 On the dating of nos 52–4, see Shaw 2011, 825–7.

84 PLRE I Macarius 1; Paulus 2; PCBE I Macarius 1; Paulus 2; cf. Shaw 2011, 163.

85 PLRE I Silvester; PCBE I Silvester.

86 Evidence for this edict is conveniently cataloged at Shaw 2011, 822–4.

posts Constans's order in Carthage, a layman named Maximianus rips it down and is arrested, flogged and imprisoned; another layman named Isaac is also arrested, flogged and imprisoned; both die in prison, and the Proconsul orders their bodies to be submerged in the sea, but they wash up and are recovered six days later.

55. **Embassy** (November 347): *Passio Marculi* (BHL 5271 = Mastandrea 1995, 65–75 = Maier 1987, no. 37): ten Donatist clergy from Numidia travel as an embassy (*legationis causa*) to Paul and Macarius at Vegesela to ask for relief from the order of union.
56. *Decretum* (November 347): *Passio Marculi* (BHL 5271 = Mastandrea 1995, 65–75 = Maier 1987, no. 37): the ten Donatist clergy acting as an embassy to Paul and Macarius are beaten, then released, except Marculus, who is executed by being thrown from a cliff near Nova Petra; cf. Optatus, *De Schism. Donat.* 3.6.1 (Sch 413.48–50); Augustine, *C. Litt. Petil.* 2.14[32]; 2.20[46]; 2.88[195] (CSEL 52.37, 46, 120); *C. Cresc.* 3.49[54] (CSEL 52.461); AE 1935.121 (Vegesela/Ksar el Kelb).

Julian (361–3)

57. **Petition** (c. 362): Augustine, *C. Litt. Petil.* 2.97[223–4] (CSEL 52.141–2) = Maier no. 39: the dissident bishops Rogatianus, Pontius, Cassianus and others petition (*supplicantibus*) Julian for relief.
58. **Rescript** (c. 362): Augustine, *C. litt. Pet.* 2.97[223–4] (CSEL 52.141–2) = Maier no. 39: Julian responds to the Donatist petition by overturning earlier rescripts and restoring things to their previous state (*in antiquum statum*); cf. Optatus, *De Schism. Donat.* 2.16.2 (Sch 412.272); Augustine, *Ep.* 105.9 (CSEL 34.601); *C. Litt. Petil.* 2.83[184] (CSEL 52.113); 2.92[205] (CSEL 52.130): *his verbis sibi Pontium supplicasse in eodem rescripto suo nominatim sine ambage ipse Iulianus expressit*; 2.97[224] (CSEL 52.142): *cur in basilicis possidendis Iuliani rescriptum tenetis*. See also CTh 16.5.37, below at no. 92.

Valentinian I (364–75)

59. *Rescript* (20 February 373): CTh 16.6.1 = Maier no. 40: Valentinian informs Iulianus (Proconsul Africae) that a bishop who has rebaptised against the principles of all (*instituta omnium*) is unworthy of the priesthood.

Firmus Rex Barbarus (370/75)⁸⁷

60. **Decretum** (c. 370): Augustine, *C. Ep. Parm.* 1.10–1[16–7] (CSEL 51.38–9); *C. Litt. Petil.* 2.83[184] (CSEL 52.113–4): Firmus issues a judicial decision against Rogatus (schismatic Donatist bishop of Cartenna in Mauretania Caesariensis) who is forcibly ejected from his churches; these are given to other Donatists.

Gratian (375–83)

61. **Rescript** (17 October 377): *CTh* 16.6.2 = Maier no. 43: Gratian orders Flavianus⁸⁸ (Vicarius Africae) to see to it that those who rebaptise desist from their error and return churches (*ecclesiae*) to the Catholics (*catholica*), in keeping with the law of our divine parents Constantine, Constans and Valentinian; those who have been expelled from churches and sought refuge in great houses and estates (*loca magnarum domorum seu fundorum*) shall be subject to confiscation; mentions a private law of Gratian (*sanctio nostra*) to Nitentius (no longer extant).
62. **Petition** (a. 378): Mansi III 624–7 = Maier no. 44: A Catholic synod in Rome sends a letter (*epistula*) to Gratian asking for support against the enemies of Damasus (bishop of Rome); among other things, it asks him to uphold an order expelling rebaptisers from the church, especially Claudianus (Donatist bishop in Rome).
63. **Letter** (a. 378): *Collectio Avellana* 13.8 (CSEL 35.54) = Maier no. 45: Gratian orders Aquilinus (Vicarius Romae) to enforce the order expelling opponents of Damasus from Rome, including Claudianus; Claudianus's expulsion had already been ordered, but he remains in Rome, so the demand must be reiterated; he is banned beyond the hundredth milestone; Aquilinus is threatened if he fails to enforce the order.
64. **Rescript** (late 378): Soc. 5.2.1; Soz. 7.1.3; John of Antioch fr. 278 (Roberto) = Suid. Γ 427 s.v. Γρατιανός; cf. *CTh* 16.5.5: Gratian (at Sirmium in the aftermath of the Battle of Adrianople) grants general religious freedom in a law (*νόμος*) that is no longer extant; cf. *CTh* 16.5.5 (*antiquato rescripto quod apud Sirmium nuper emersit*).

87 On the chronology of the Firmus revolt, see Drijvers 2007, 144–6.

88 In the MS of the Codex Justinianus, this text is addressed 'ad Florianum vic. Asiae', but see *PLRE* I Virius Nicomachus Flavianus 14 for the proper identification; cf. Maier 1989, 50 n. 7.

65. **Edict** (3 August 379): *CTh* 16.5.5 = Maier no. 46: Gratian transmits to Hesperius (Praefectus Praetorio) a general edict forbidding heresy; it specifically identifies rebaptisers; orders heretical bishops and priests to avoid religious meetings (*conciliabula*); abrogates the rescript of Sirmium and orders a return to the law of Valentinian.

Theodosius I (379–95)

66. **Decretum** (392/393): Augustine, *Enarr. in Ps.* 36.2.20 (CCSL 38.364) = Maier no. 54: Primianus (Donatist bishop of Carthage) uses the enforcement of a judicial decision (*auctoritate iudiciaria*) to have his deacon Maximianus forcibly expelled from a house owned by the Donatist church.
67. **Decretum** (late 394):⁸⁹ Augustine, *Enarr. in Ps.* 21.2.31 (CCSL 38.133) = Maier no. 57; cf. *C. Cresc.* 4.1.1 (CCSL 38.498): *adirent iudices ab ipsis imperatoribus missos et Maximianum ac socios eius apud eos graviter accusarent, concilium quo eos damnaverunt gestis proconsularibus allegarent, iussiones quibus illi sedibus pellerentur efficacissimas impetrarent*: Primianus goes before the Proconsul Africae to reclaim a basilica from the possession of Maximianus; cf. Augustine, *C. Cresc.* 3.59[65]; 4.46[55] (CSEL 52.471–2, 553); *Ep.* 44.4[7] (CSEL 34.115).

Gildo (397–8)

68. **Decretum** (397): Augustine, *C. Cresc.* 4.48[58] (CSEL 52.555–6) = Maier no. 63: Restitutus (Primianist bishop of Membressa) sues Salvius (Maximianist bishop of Membressa) before Seranus (Proconsul Africae) for control of the basilica of that city and wins; cf. Augustine, *C. Cresc.* 4.50[60] (CSEL 52.557). (See also no. 73 for a possible rescript of Gildo restoring property and privileges to Donatists).

Honorius (395–423)

69. **Decretum** (early 395):⁹⁰ Augustine, *Ep.* 108.4[13] (CSEL 34.626); *C. Cresc.* 3.56[62]; 4.4[5] (CSEL 52.468, 502) = Maier no. 59: Restitutus (Primianist bishop of Membressa) sues Salvius (Maximianist bishop of Membressa), before Flavius Herodes (Proconsul Africae) and is granted control of the city's basilica.

89 On the date see Maier 1989, 92.

90 On the date, see Maier 1989, 96.

70. **Decretum** (2 March 395):⁹¹ Augustine, *C. Cresc.* 3.56[62] (CSEL 52.467) = Maier no. 60: Catholics approach Flavius Herodes (Proconsul Africae) to bring suit against Felicianus (Maximianist bishop of Musti) and Praetextatus (Maximianist bishop of Assuras) for control of their basilicas and win.
71. **Letter** (23 March 395): *CTh* 16.2.29 = Maier no. 61: Honorius orders Hierius (Vicarius Africae) to maintain the decisions (*statuta*) of his father as they were originally issued.
72. **Decretum** (22 December 396): Augustine, *C. Cresc.* 3.56[62] (CSEL 52.469): Rogatus (Primianist bishop of Assuras) sues Praetextatus (Maximianist bishop of Assuras) before Theodorus (Proconsul Africae) for control of the basilica of that city, which Praetextatus has refused to surrender despite Flavius Herodes's order (no. 70); Praetextatus is condemned to surrender the basilica but once again refuses, cf. Augustine, *C. Cresc.* 4.4[4] (CSEL 52.501).
73. **Edict** (7 June 399): *CTh* 16.2.34 = Maier no. 64: Honorius transmits to Sapidianus (Vicarius Africae) an edict condemning those who violate the privileges of the church (*ecclesiae venerabilis privilegia*) to pay a fine of five pounds of gold, in keeping with previous law (*sicut etiam prius constitutum est*), and overturns privileges obtained by heretics against the law.⁹²
74. **Petition** (13 September 401): *Reg. Eccl. Carth. Exc.* 7 [67] (CCSL 149.199–200) = Maier no. 66: The Council of Carthage of 401 decides to send letters to African governors (*ad iudices Africanos*) petitioning them (*peti*) to create a dossier of the official proceedings (*gestis publicis*) by the Primianists against the Maximianists.⁹³
75. **Decretum** (25 August 403): *Reg. Eccl. Carth. Exc.* 9 [91] (CCSL 149.210) = Maier no. 68: Aurelius (bishop of Carthage) has the Council of Carthage confirm through acclamation a *decretum* reached by the assembled bishops that Catholic bishops should be allowed to hold public hearings (*convenire*) with their Donatist counterparts in each individual city.
76. **Petition** (25 August 403): *Reg. Eccl. Carth. Exc.* 9 [91] (CCSL 149.210) = Maier no. 68: the bishops of the Council of Carthage through acclamation

91 On the date, see Maier 1989, 96.

92 Presumably privileges granted under Gildo, who was overthrown in 398.

93 This request was almost certainly inspired by Augustine: Grasmück 1964, 195.

petition that letters (*epistulas*) should be sent to officials (*iudices*) requesting that Catholic bishops be allowed to hold public hearings in each city.

77. **Petition** (13 September 403): *Gest. Coll. Carth.* 3.174 (CCSL 149A.221–2) = Maier no. 69: Aurelius (bishop of Carthage) and the bishops of the Council of Carthage of 25 August 403, petition (*petimus*) Septiminus (Proconsul Africae) to allow them to use magistrates (*per magistratus*) in cities or their neighbouring territories to summon Donatists to official hearings (*gesta*).⁹⁴
78. **Edict of the Proconsul** (autumn 403): *Gest. Coll. Carth.* 3.174 (CCSL 149.222) = Maier no. 70: Septiminus (Proconsul Africae) grants permission to Aurelius (bishop of Carthage) and the bishops of the Council of Carthage to hold official hearings (*gesta*) into the beliefs (*persuasio*) of the Donatists.
79. **Decretum** (a. 403/404): Augustine, *C. Cresc.* 3.46[50]–48[52] (CSEL 52.457–60); *Ep.* 88.7; 105.2[4] (CSEL 34.413–4; 598); *Sermo Denis* 19.8 (*Miscellanea Agostiniana* 1.105); Possidius, *Vita Augustini*, 12 (PL 32.33): Crispinus (Donatist bishop of Calama) is tried for heresy by the Proconsul Africae after attacking Possidius (Catholic bishop of Calama); he is convicted and ordered to pay ten pounds of gold in keeping with *CTh* 16.5.21 (15 June 392).
80. **Petition** (a. 403/404): sources at no. 79: Augustine and Possidius (Catholic bishop of Calama) appeal to the governor of Numidia for a remission of the fine against Crispinus and obtain it.
81. **Appeal** (a. 403/404): sources at no. 79: Crispinus appeals to Honorius and is condemned to pay the original fine.
82. **Petition** (a. 403/404): sources at no. 79: Augustine and Possidius appeal to Honorius for clemency in the instance of Crispinus.
83. **Rescript** (a. 403/404): sources at no. 79: Honorius issues a rescript limiting the enforcement of *CTh* 16.5.21 to instances where Donatists have done violent damage to a Catholic church.
84. **Decretum** (16 June 404): *Reg. Eccl. Carth. Exc.* 10[93] (CSEL 149.211–4) = Maier no. 74: Council of Carthage under Aurelius (Bishop of Carthage) issues a memorandum (*commonitorium*) reporting the violence of the Donatists and their *circumcelliones* and forwards a *decretum* signed

94 The petition was then transferred to the Vicar of Africa, cf. Augustine, *Brev. Coll.* 2.5.6 (CSEL 53.55 = Maier 69).

by Aurelius asking Honorius: 1) to provide protection in cities and neighbouring estates; 2) to apply *CTh* 16.5.21 (ordering fines of ten pounds of gold against heretics) against Donatists and landowners on whose property they congregate, cf. Augustine, *Ep.* 185.8[25] (*CSEL* 57.24); 3) to apply *CTh* 16.5.17 (forbidding heretics from making wills or receiving under a will) to Donatists.

85. **Embassy** (16 June 404): *Reg. Eccl. Carth. Exc.* 10[93] (*CSEL* 149.211–4) = Maier no. 74: Council of Carthage under Aurelius sends an embassy (*legatio*) to Honorius through the legates Theasius and Euodius with the memorandum and *decretum* of no. 84.
86. **Letter** (16 June 404): *Reg. Eccl. Carth. Exc.* 10[93] (*CSEL* 149.213) = Maier no. 74: Council of Carthage asks Aurelius to send letters to the emperor and magistrates (*eminentissimas potestates*) informing these of their decisions.
87. **Petition** (16 June 404): *Reg. Eccl. Carth. Exc.* 10[93] (*CSEL* 149.213) = Maier no. 74: Council of Carthage under Aurelius orders letters to be sent to officials (*iudices*) petitioning them (*impertiant*) to grant protection to the cities and estates of Catholics until the legates' return.⁹⁵
88. **Embassy** (winter 404/405): Augustine, *Ep.* 88.7 (*CSEL* 34.414); *Ep.* 185.7[26–8] (*CSEL* 57.25–7): Maximianus (Catholic bishop of Bagaï) travels to Ravenna to appeal to Honorius and show him the scars of wounds inflicted on him during a Donatist attack.
89. **Edict** (12 February 405):⁹⁶ *CTh* 16.5.38 + 16.6.3 = Maier no. 75: (survives only in two fragments) Honorius transmits an edict which forbids rebaptism, orders the union of churches, denies the right of assembly to Manichaeans and Donatists and threatens with torture (*aculei*) those who stir up sedition.
90. **Letter**⁹⁷ (12 February 405): *CTh* 16.6.4 = Maier no. 76: Honorius orders Hadrianus (Praefectus Praetorio Italiae et Africae) to extirpate Donatists; rebaptisers are to be brought before officials (*iudices*) and suffer confiscation

95 The Council also ordered a letter of commendation for its legates to be sent to the bishop of Rome which does not, however, impinge directly on the legislative process and thus is not given its own rubric here.

96 The Donatist redactor of the *Liber genealogus* 627 (*MGH AA* 9.196 = Maier no. 82) reports that the persecution of Donatists resulting from the promulgation of the edict began on 26 June, 405.

97 This law refers to itself variously as *decretum*, *constitutio* and *lex*. It survives in the form of a letter which probably reported the contents of *CTh* 16.5.38 + 16.6.3 (no. 89).

of their property; their children can claim their property if they are not Donatists or if they agree to convert; estates where rebaptisms occur are to be confiscated and the owners branded with *infamia*; if the owners were unaware, the *conductor* or *procurator* is to be beaten with lead-tipped whips and exiled; slaves who have been forced to undergo rebaptism may seek refuge in churches; rebaptisers and their collaborators lose *testamenti factio*; governors, decurions and *defensores civitatis* who consent to rebaptism are fined 20 pounds of gold.

91. **Letter** (12 February 405): *CTh* 16.6.5 = Maier no. 77: Honorius orders Hadrianus (Praefectus Praetorio Italiae et Africae) to ensure that those who rebaptise are turned over to provincial governors and their possessions are confiscated.⁹⁸
92. **Letter** (Feb. 25, 405): *CTh* 16.5.37 = Maier no. 78: Honorius orders Hadrianus (Praefectus Praetorio Italiae et Africae) to post publicly the rescript of Julian to the Donatists (above no. 58) alongside his edict (no. 89).
93. **Letter** (5 March 405): *CTh* 16.11.2 = Maier no. 79: Honorius orders Diotimus (Proconsul Africae) to post publicly his Edict of Union (no. 89).
94. **Edict of the Vicar** (405): Augustine, *Ep.* 86 (*CSEL* 34.396): Augustine praises Caecilianus (Vicarius Africae?)⁹⁹ for supporting unity (*unitati catholicae*) in other parts of Africa and asks him to assist in enforcing his edict (*vigore edicti tui*) in Hippo and neighbouring territories of Numidia.
95. **Embassy** (23 August 405): *Reg. Eccl. Carth. Exc.* 11[94] (*CCSL* 149.214) = Maier no. 80: Council of Carthage sends embassy (*legatio*) to Honorius to thank him for his order excluding the Donatists.
96. **Letter** (23 August 405): *Reg. Eccl. Carth. Exc.* 11[94] (*CCSL* 149.214) = Maier no. 80: Council of Carthage sends letters to governors asking them to enforce the order of union in the provinces and cities outside Carthage.

98 Note that the phrase ‘Iubemus igitur, ut, si quis posthac fuerit rebaptizare detectus, iudici qui provinciae praesidet offeratur, ut facultatum omnium publicatione multatus inopiae poenam expendat’ at *CTh* 16.6.5 follows the wording of the preface of *CTh* 16.6.4 (no. 90) almost exactly (‘quisquis post haec fuerit rebaptizasse detectus, iudici qui provinciae praesidet offeratur, ut facultatum omnium publicatione multatus inopiae poenam, qua in perpetuum afficiatur, expendat’). These are thus slightly different copies of letters sent to accompany and/or enforce the same edict.

99 Caecilianus’s office is not specified in the letter but would seem to be that of Vicarius Africae: see *PLRE* II Caecilianus 1; cf. *PCBE* I Caecilianus 6; Shaw 2015 for other possibilities.

97. **Rescript** (8 December 405): *CTh* 16.5.39 = Maier no. 81: Honorius orders Diotimus (Proconsul Africae) to enforce penalties against convicted or confessed Donatists without delay.
98. **Embassy** (30 January 406): Augustine, *Ep.* 88.10 (*CSEL* 34.416–7); Augustine, *Ad Donat. post Coll.* 25[44] (*CSEL* 53.145–6); *Brev. Coll.* 3.4–5[4–6] (*CCSL* 149A.273–5); *Gest. Coll. Carth.* 3.110, 124, 128–30, 140–1, 153–4, 170, 173 (*CCSL* 149A.207, 210–1, 213–5, 217, 221): Primianus sends a Donatist embassy (*legatio*) to Ravenna, but its case is not heard by the Praefectus Praetorio, who turns it back, saying his job is to uphold existing law.
99. **Embassy** (13 June 407): *Reg. Eccl. Carth. Exc.* 12[99, 106] (*CCSL* 149.216, 219) = Maier no. 83: Council of Carthage sends an embassy (*legatio*) to the emperor against Donatists and pagans (*adversus Donatistas et paganos*); decisions are made concerning the episcopal control of churches in the wake of the edict of union (no. 89).
100. **Letter** (15 November 407): *CTh* 16.5.41 = Maier no. 84: Honorius orders Porphyrius (Proconsul Africae) to allow all who convert from Donatism to Catholicism to avoid the penalties threatened in the law of union (no. 89).
101. **Letter** (15 November 407):¹⁰⁰ *Sirm.* 12 = *CTh* 16.5.43 + 16.10.19 = Maier no. 85: Honorius orders Curtius (Praefectus Praetorio Italiae et Africae) to enforce previous regulations against pagans and Donatists; their property is to be confiscated to the Catholic church; bishops may enforce the law using the *agentes in rebus* Maximus, Julianus and Euthyches; *iudices* who fail to enforce the law are to be fined 20 pounds of gold, as previously established (no. 89).
102. **Embassy** (16 June 408): *Reg. Eccl. Carth. Exc.* 13[106] (*CCSL* 149.219) = Maier no. 86: Council of Carthage sends an embassy (*legatio*) to Honorius against pagans and heretics (*contra paganos et hereticos*) in the wake of riots at Calama.
103. **Embassy** (13 October 408): *Reg. Eccl. Carth. Exc.* 14[106] (*CCSL* 149.219) = Maier no. 87: Council of Carthage sends an embassy (*legatio*) to Honorius against pagans and heretics (*contra paganos et hereticos*) who have committed acts of violence, killing two Catholic ministers and beating three others.¹⁰¹

100 On the date, see Seeck 1919, 10, 312.

101 This rioting came in the wake of a forged edict of toleration circulated by Donatists, a document which apparently purported that the 405 edict against the Donatists

104. **Letter** (24 November 408): *CTh* 16.5.44 = Maier no. 88: Honorius orders Donatus (Proconsul Africae) to punish any Donatists or Jews who attack Catholic property.
105. **Letter** (27 November 408): *CTh* 16.5.45 = Maier no. 89: Honorius orders Theodorus (Praefectus Praetorio Italiae et Africae) to use *defensores*, *curiales* and *officiales* to find those dissidents who continue to meet in cities or neighbouring territories; punish them with proscription and exile; and confiscate the property where this occurs.
106. **Letter** (15 January 409): *Sirm. 14* = *CTh* 16.2.31 + 16.5.46 = Maier no. 90: Honorius orders Theodorus (Praefectus Praetorio Italiae et Africae) to investigate attacks on clergy which have gone unprosecuted; some source independent of the governors has reported the physical abuse of Catholic clergy to the emperor; the perpetrators are to be sought out and condemned to the mines or deported after confiscation of their goods; Theodorus is ordered to issue edicts demanding that future offences be reported by municipal senates, magistrates, curators and *stationarii*; attacks on clergy are to be treated as capital crimes; if violent gangs cannot be held to account, access is given to troops supplied by the Comes Africae, who can be petitioned by letter with reference to this law; governors who fail to uphold the law should be removed from office and their office staffs fined 20 pounds of gold; members of municipal senates who connive in hiding these offences must be deported and their property confiscated.
107. **Edict and Letter of the Proconsul** (409): *Sirm. 14* = *CTh* 16.2.31 + 16.2.31 = Maier no. 90: Honorius's letter (no. 105) to Theodorus (Praefectus Praetorio Italiae et Africae) orders him to promulgate the constitution by issuing edicts, prefaced with his own letter, conveying the disposition ordering that future attacks on Catholic clergy be reported and these assaults (*iniuriae*) punished.
108. **Rescript** (26 June 409): *CTh* 16.5.47 = Maier no. 91: Honorius orders Iovius (Praefectus Praetorio Italiae et Africae) to disregard privileges granted contrary to the benefit of the Catholic church, even if obtained through *adnotationes*.

represented the work of the now defunct Stilicho rather than the emperor himself. See Augustine, *Ep.* 105.2[6] (*CSEL* 34.599); cf. *Ep.* 97.2–3, 100.2, 105.2[4–6] (*CSEL* 34.517–8, 537–8, 597–9).

109. *Rescript (spring 410)*:¹⁰² *Reg. Eccl. Carth. Exc.* 16[107] (CCSL 149.220): *eo tempore quo lex data est, ut libera voluntate quis cultum christinitatis exciperet*; cf. *CTh* 16.5.51; *Gest. Coll. Carth.* 1.4, 3.29 (CCSL 149A.54–5, 185); Augustine, *Ep.* 108.6[18] (CSEL 34.632); *C. Gaud.* 1.24[27] (CSEL 53.226): fragmentary references to a law (*lex, oraculum*) granting freedom of religion, perhaps in response to a petition routed through Heraclianus (Comes Africae) during the third siege of Rome.
110. **Embassy (14 June 410)**: *Reg. Eccl. Carth. Exc.* 16[107] (CCSL 149.220) = Maier no. 92: an embassy (*legatio*) is sent from the Council of Carthage against the Donatists (*contra Donatistas*) concerning a recent law granting religious tolerance (no. 109).
111. **Rescript (25 August 410)**: *CTh* 16.5.51 = Maier no. 93: Heraclianus (Comes Africae) is ordered to rescind the law allowing a return *ad ritus suos haereticæ superstitionis*; enemies of the holy law are to be punished with proscription and the shedding of blood.
112. *Embassy (410?)*: *Gest. Coll. Carth.* 1.5 (CCSL 149A.57): an embassy of Donatists to the imperial court calls for a conference to be held to settle the whole dispute (*Nam sicut a catholicis nuper conlatio postulata est, sic ante brevissimum tempus Donatistarum episcopos in iudicio inlustrium potestatum conlationem postulasse non dubium est*).¹⁰³
113. **Embassy (Fall 410)**: *Gest. Coll. Carth.* 1.4, 3.29 (CCSL 149A.54–5, 185–6): a Carthaginian embassy of venerable men and bishops (*venerabilium virorum episcoporum legatio*) asks for a conference to be held in Carthage to try the dispute between Catholics and Donatists; cf. *Gest. Coll. Carth.* 1.5 (CCSL 149A.57).
114. **Letter (14 October 410)**: *Gest. Coll. Carth.* 1.4, 3.29 (CCSL 149A.54–5, 185–6); cf. *CTh* 16.11.3: Honorius orders the convocation of a conference between Catholics and Donatists in Carthage and charges Flavius Marcellinus (Tribunus et Notarius) with its presidency; the conference must be held within four months and Donatists must attend or be charged with *contumacia*; if they fail to attend, they forfeit their case.
115. **Edict of the Tribune (19 January 411)**: *Gest. Coll. Carth.* 1.5 (CCSL 149A.56–8): Marcellinus (Tribunus et Notarius) orders African bishops to meet in Carthage by 1 June 411; orders this edict published in the cities

102 See Lancel 1972–91, 1.22–4.

103 It is unclear precisely when this embassy occurred.

and countryside; orders the return of property to Donatist bishops if it had been confiscated in keeping with imperial orders (i.e. *restitutio in integrum*); if the Donatists wish for another judge to join Marcellinus, they can request this; promises the Donatists they will not be molested and will be allowed to return home in peace.

116. **Edict of the Tribune** (May 411): *Gest. Coll. Carth.* 1.10 (CCSL 149A.58–62): Marcellinus (Tribunus et Notarius) lays out the terms of the conference: seven disputants per side must debate in the *thermae Gargilianae* beginning on 1 June; only clerics are to be present; each side can have four copyists; leaders of both sides must agree to these terms by writing to Marcellinus.¹⁰⁴
117. **Edict of the Tribune** (26 June 411): *Gest. Coll. Carth.*, *edictum cognitoris* (CCSL 149A.177–9): Marcellinus (Tribunus et Notarius) orders that all men of rank, landowners, *actores*, *conductores* and *seniores omnium locorum* prohibit meetings of Donatists; that they return property which he temporarily granted to the Donatists back to the Catholic church immediately; those Donatists who refuse to obey are subject to imperial law; Catholic bishops must now receive Donatists into their congregations; Donatist bishops may return to their homelands without molestation, but they must immediately unite themselves with the Catholic church; those who continue to hold *circumcelliones* on their property are subject to confiscation.
118. **Letter** (30 January 412): *CTh* 16.5.52 = Maier no. 95: Honorius orders Seleucus (Praefectus Praetorio Italiae et Africae) to disregard previous pragmatic sanctions and *adnotationes* and order all Donatists into union with the Catholic church (*catholica*); if they refuse, offenders who are *illustres* must pay 50 pounds of gold; *spectabiles* 40; *senatores* 30; *clarissimi* 20; *sacerdotales* 30; *principales* 20; *decuriones* 5; *negotiatores* 5; *plebei* 5; and offenders who are *circumcelliones* must pay ten pounds of silver; *procuratores* or *conductores* under whom Donatist resisters work should deliver them up or face penalties; wives must pay the same fine as husbands; slaves and *coloni* can be beaten; clerics and ministers are to be deported from Africa; any property given to their churches from private hands is to be rendered to the Catholic church.
119. **Letter** (17 June 414): *CTh* 16.5.54 = Maier no. 96: Honorius orders Iulianus (Proconsul Africae) to forbid Donatists the right to make or receive on wills

104 The council itself involved a number of petitions, responses and mandates that are catalogued at Maier 1989, 2.174–5 (no. 94).

(*testamenti factio*) and from making contracts, to brand them with infamy, and forbid them from taking part in assemblies; their buildings should be confiscated, their priests and clergy should suffer confiscation and be exiled to islands and provinces; anyone giving them harbour is subject to confiscation and incurs the same penalty as the fugitives; penalties are imposed on laypersons depending on status; high officials must pay 200 pounds of silver unless they convert to Catholicism; this can occur up to five times, whereupon all their property should be confiscated; any other senator is fined 100 pounds of silver; *sacerdotes* owe 100; *decemprimi curiales* 50; other *decuriones* 10; *conductores* and *procuratores* of imperial estates owe as a fine the amount they pay as rent; so too *emphyteuticarii*; *conductores* of private estates are referred to the owners who must punish them, find new *conductores*, or face confiscation; *officiales* must pay 30 pounds of silver; if they persist and are fined five times, they must be beaten and exiled; slaves and *coloni* should be flogged, and *coloni* can be fined one-third of their *peculium* if they persist; all proceeds are paid to the *sacrae largitiones*.

120. **Rescript** (30 August 414): *CTh* 16.5.55 = Maier no. 97: Honorius informs Iulianus (Proconsul Africae) that the recent execution of Marcellinus (in the wake of the suppression of Heraclianus) does not nullify the *gesta cognitoris* (no. 117).
121. **Edict of the Vicarius** (a. 414): Augustine, *Ep.* 155.4[17] (*CSEL* 44.447) = Maier no. 98: Macedonius (Vicarius Africae) upholds previous rulings concerning the Donatists.
122. **Two Edicts of the Tribunus** (a. 419): Augustine, *Ep.* 204.3 (*CSEL* 57.318) = Maier no. 100: Dulcitius (Tribunus et Notarius, specially assigned to enforce the edict against the Donatists¹⁰⁵) issues two edicts ordering the Donatists to surrender basilicae and submit to union, provoking angry responses from Gaudentius of Thamugadi (Timgad).

105 Augustine, *C. Gaud.* 1.1[1] (*CSEL* 53.201).

THE CONFERENCE OF CARTHAGE RECONSIDERED

Neil McLynn

Anatomies of a Defeat

The single manuscript which contains the verbatim transcription of the proceedings of the Conference of Carthage of 411 offers the historian what is arguably the supreme courtroom drama of Roman imperial history.¹ Nowhere else do we see so many face-to-face confrontations – some 200 separate pairings during an extraordinary (and unscheduled) passage of business on the first day, of antagonists each committed to the view that the other was an imposter; nowhere else can we trace in such intricate detail the treatment of procedural issues or appreciate so vividly the implications of these for the eventual outcome; nowhere else is there so full a picture of the refereeing duties of a presiding magistrate or so complete a record of rulings on points of order; no other case yields anything to rival the century's worth of formal documentation – imperial letters, proconsular rulings and conciliar verdicts – presented as evidence, and submitted to the most ingenious cross-examination, on the final day. In keeping with this drama the manuscript ends abruptly, in mid-sentence, half-way through the final day's business, just before the first of these documents is introduced. For the remainder of the proceedings we nevertheless retain a level of documentation hardly matched in any other context – not merely a near-contemporary compilation of chapter headings (transmitted at the beginning of our sole manuscript) but also a detailed (if highly partial) annotated summary of the proceedings produced by Augustine when he realised 'that nobody was willing to make the effort to read so massive a mountain of words'.²

Augustine looms large, both in the proceedings themselves (over the three days he is the single most persistent contributor on the Catholic

1 For the text and its production, see Lancel 1972–91, 337–91.

2 Augustine, *Ep.* 139.3: 'cum viderem neminem se velle tanto aggeri litterarum legendo committere'; cf. *Retract.* 2.39 (66); *Ep.* 141.7; *Ep.* 185.6; *Brev. Coll.* 1, praef.

side)³ and in their textual reception (apart from the *Breviculus* he produced two further extensive summaries, while also advertising the *Gesta* in sermons and letters and incorporating readings from them into the annual liturgical cycle of his church at Hippo);⁴ and his prominence has had consequences that have perhaps not been sufficiently appreciated. It is not merely that the conference is easily absorbed into the larger story of Augustine's long engagement with Donatism or that he has sometimes been credited with an unduly significant role in its proceedings;⁵ his prompt and confident appropriation of the *Gesta* (reflected by claims that attentive readers would 'be held, through their fear of eternal fire and their delight in the truth, in Catholic peace' and others along similar lines) has persuaded posterity to treat them as an intrinsically Catholic document.⁶

Important studies have done much in recent years to clarify the background to the conference and tensions at work there, and in particular to suggest the method behind the Donatists' apparently incoherent tactics and conduct of business.⁷ Maureen Tilley, in a ground-breaking article, showed how much the impression of Donatist negativity and obstructionism owed to Augustine's presentation.⁸ Erika Hermanowicz has identified a consistent and intelligent strategy intended to force disclosure of documents presented to the imperial court by Catholic lobbyists;⁹ Brent Shaw has adduced the Yippies to suggest a subversively effective 'counter-theatre';¹⁰ Thomas Graumann has identified a series of symbolic gestures through which the Donatists sought to assert their rectitude.¹¹ However, these readings have

3 Augustine speaks on a total of 70 occasions (59 on the third day); compare Alypius, with 53 interventions (27 on the first day) and Aurelius, with 21 (all on the first day).

4 *Ad Donat. post Coll.*; *Ep.* 141. He commends the *Gesta* at *Serm.* 99.8; *Epp.* 141.2, 173.7, 28*. An annual cycle of readings at Hippo, Carthage, Thagaste, Cirta and 'apud omnes diligentes ecclesias') is reported at *Gesta cum Emerito* 4; cf. *Ep.* 28*.2–3.

5 Frend 1952 discerned in the initial arrangements 'evidence of the resiliency and political skill of Augustine' (275) and summing up thus: 'the victory of Augustine was ... complete' (289); cf. on the preliminaries: 'It was the policy which had the entire approval of Augustine' (273).

6 *Ep.* 28*.2.

7 For an example of earlier views see Frend 1952, 279: 'The Donatists prepared their case very indifferently.'

8 Tilley 1991, 7–19.

9 Hermanowicz 2008, 207–16.

10 Shaw 2011, 564 n. 66, 581 n. 139, 582 n. 143, 583 n. 146.

11 Graumann 2011, 329–55.

continued to operate in the two dimensions to which Augustine himself reduced the proceedings, in presupposing not only that the Catholics emerged from the Baths of Gargilius with a victory, however incomplete or compromised, but also, more importantly, that the contest had been a more or less straightforward collision (albeit with the field tilted overwhelmingly in favour of the Catholics) between two coherent sides. Serge Lancel has presented, with characteristic clarity, a picture of Olympian commanders deploying well-drilled troops.¹² But any such view does insufficient justice to the extraordinary circumstances in which the bishops met. An enormous effort, unparalleled in the history of state involvement in ecclesiastical business, had been made to ensure their attendance; several different provincial bureaux had been mobilised, and summonses issued through the municipal senates or equivalent authorities of each city and township.¹³ Most of the bishops attending the conference, moreover, would be meeting each other for the first time; none, certainly, had experienced so large an ecclesiastical event. What they saw and heard during the conference will therefore have done much to shape their understanding of the Donatist controversy and of their place in it, and to determine their future conduct.

Brent Shaw's recent invitation to look beyond the Baths of Gargilius to the streets of Carthage outside in order to gauge the true impact of the conference might, therefore, be premature.¹⁴ The *Gesta* invite us first to consider the likely impact of the exchanges recorded there on those who were actually present to hear them. Above all, we need to look beyond the monolithic perspective imposed by Augustine, where 'we' Catholics confront 'you' Donatists. There were, I shall suggest, at least three other actors, or groups of actors, who brought their own identifiable concerns to the gathering at Carthage and whose experience of and reactions to the proceedings, insofar as these can be inferred from the *Gesta*, were probably more important than the formal verdict in shaping their subsequent behaviour.

12 Lancel 2002, 298: 'The prevailing impression is of a "rank and file" manoeuvred by a few "generals", among both the Donatists and Catholics, in other words headquarters staff formed on either side for the duration of the conference, and in the front rank the spokesmen who would carry the whole weight of the debate.'

13 *Gesta Coll. Carth.* 1.5; Lancel 1972–91, 31–4.

14 Shaw 2011, 569: 'We cannot confine our gaze to the highly artificially defined world of the conference itself ... the views of the bishops, mostly rather elderly males, cannot be taken to define the limits of this power'; cf. 565: 'such a great event must have had a large popular audience'.

Optimus Moderator:
The Acts of Marcellinus

The first significant actor is the presiding magistrate Marcellinus. It is a central assumption of most modern scholarship that in 411 church and state proceeded against the Donatists in lockstep: that the emperor was determined that unity be imposed upon the African church and that Marcellinus, sent from Italy to supervise proceedings, was committed to implementing this command. His personal religious inclinations, it is supposed, only reinforced his duty.¹⁵ Even if not in Augustine's pocket from the outset, Marcellinus has seemed a wholly committed agent of the Catholic cause.¹⁶

However, the friendship between Augustine and Marcellinus began only after the conference, and the two men bonded not over the Donatists but over the City of God.¹⁷ In treating Marcellinus as the inexorable agent of the Roman state, moreover, historians tend to forget what they know about the limits of that state, and especially the limits of its capacity to enforce any sustained religious (or other) unity.¹⁸ Lobbyists had succeeded in persuading the government of Honorius that African security was in immediate danger from a toxic cocktail of heresy and violence, and had secured the application of existing tools for dealing with these; however, the tools for repressing violence were by far the more straightforwardly effective and, having built so much of their case to the government upon this, Catholic leaders would have been uncomfortably aware that a perceived elimination of *circumcellione* atrocities might be deemed sufficient. Honorius, who in 411 needed prestige as much as he needed peace, might indeed choose to declare victory at any moment; neither Marcellinus nor the Catholic bishops could be sure that the imperial edict convening the conference was more than a final flourish.

Marcellinus had the very unusual, and unusually difficult, role of making practical sense of the imperial letter which appointed him to convene the

15 Frend 1952.

16 Shaw 2011, 559 n. 45: 'there seems no good reason to doubt Marcellinus' inclinations in this matter'; O'Donnell 2005, 223: 'His choice as commissioner could only mean that the imperial government had decided to decide in favour of the Caecilianists'; Hermanowicz 2008, 191: 'He executed his duty as a judge impeccably, but that meant making sure that the Catholics emerged as the winners.'

17 McLynn 1999; for full details of the developing relationship, see Moreau 1973.

18 Shaw 2011, 496–505, noting the appointment of *tribuni et notarii* as exceptional.

conference; he was thus directly accountable to the emperor in a way that very few recipients of such documents would be. Moreover, his task (and accountability) extended beyond the conference itself, and he would remain in Africa to oversee the translation of his verdict into practical activity – he was still there two years later, when he was abruptly executed on charges unrelated to Donatism but which vividly illustrate the risks run by those operating on behalf of the insecure and jealous court at Ravenna.¹⁹ Marcellinus' awareness of his long-term responsibilities help explain both his own actions during the conference and how others responded to him. The conference was his opportunity to size up the bishops with whom he would be doing business for the next few years, and theirs to size up him.

Marcellinus' peculiar circumstances explain his decision to create the record which provides our window into the conference. It should be remembered that, although detailed record-keeping was a standard feature of late Roman legal procedure, the elaborate mechanism for creating a jointly approved record and, above all, for publicising it was devised by Marcellinus rather than the central government and was only announced within a fortnight of the conference;²⁰ and Marcellinus' motives here should be distinguished from those which Augustine eagerly proclaimed. By allowing us to follow him through the pressures and difficulties, the tribune shows himself to be a firm and impartial arbiter of proceedings. It was, we must appreciate, an exceptionally difficult brief. The last intervention by officials sent by the Roman imperial government, over 50 years previously, had involved two *notarii* equipped not only with significant amounts of money to encourage assent but also with military assistance to crush opposition; in the strained months following Alaric's sack of Rome it is not surprising that Marcellinus was apparently provided with neither.²¹ It is significant, too, that following the conference he did not move from Carthage, as his predecessors Paul and Macarius had done 50 years earlier, to the Donatist strongholds of Numidia. Only one case is known where

19 For the circumstances of Marcellinus' execution in September 413, see Moreau 1973.

20 Honorius' mandate to Marcellinus required a record to be created for the government's benefit (*Gesta Coll. Carth.* 1.4); for the creation of formal written records as a routine aspect of the late antique judicial process, see Dillon 2012, 205–13, 229–31.

21 On Paul and Macarius, see above all Optatus, *De Schism. Donat.* 3. 1, 3–4, 7–8, 10–2; 7. 6–7; Shaw 2011, 505 ('fully empowered emperor's men'); 822–3. It is significant that Marcellinus was accused of receiving, not offering, bribes: below, at n. 46.

action was taken against Donatists who defied the council's verdict, and this was a criminal trial where the offenders were called before not Marcellinus but his brother Apringius, the proconsul, and by local authorities.²²

In 411 Marcellinus was also obliged to referee a match where the stakes were unusually high and where experienced forensic practitioners were looking for any possibility to seize any advantage, relying on the support not of his own assessors but of a borrowed staff drawn from a number of different provincial bureaux.²³ The emphasis that he himself puts, in advertising his plans to create and publish the record, on the need to advertise to the city of Carthage and the province that justice was being done, has perhaps been translated too eagerly by historians into an index of the partisan passions at work in the streets.²⁴ Marcellinus will have been equally aware that others would be weighing the justice of his proceedings. Potentially ominous was the presence of three *protectores domestici* (and, on the third day, two *agentes in rebus*).²⁵ Marcellinus would surely have known that throughout the proceedings others would be reporting back to Ravenna well before he could return himself. He would also be keenly aware that Carthage in 411 was unusually well-populated with well-connected Italians for good reason; after the depredations inflicted both by Alaric and by state officials in North Africa, they wished to see agents of the imperial government held to account.²⁶ It might be suggested, then, that the scrupulously detailed record created for the conference was intended not so much to promote Catholic truth but rather as an insurance policy to protect Marcellinus himself.

Marcellinus' determination to be seen to be an irreproachable model of Roman justice caused some anxious moments for the Catholic leaders. The very beginning of the proceedings may well have created alarm; when

22 Augustine, *Ep.* 133.1 (the criminals had been brought to Marcellinus by 'publicae disciplinae cura') 134, 139 (note that this was a murder case which would in any case have triggered proceedings under criminal law); for context, see McLynn 2010, 305–21.

23 The staff members are itemized at *Gesta Coll. Carth.* 1.1; see Lancel 1972–91, 50–61.

24 See especially Shaw 2011, 565–7; *pace* 567 n. 72, there is no indication that any actual disturbance occurred during the conference.

25 *Gesta Coll. Carth.* 1.1; 3.1.

26 For allegations that well-bred Roman women were subjected to extortion, see Jerome, *Ep.* 130.7. There is a pointed reminder of the refugee population at *Gesta Coll. Carth.* 1:159.

they arrived to find the entire Donatist episcopate assembled inside the reception hall, quite contrary to the tribune's explicit instructions – the record blandly notes the fact ('when all of the bishops of the Donatist party had entered...')²⁷ – but neither Marcellinus nor any of his officials seems to have blinked, even when the prescriptions being so blatantly defied were formally reiterated shortly afterwards.²⁸ Soon after this, during the opening exchanges, Marcellinus seemed on the brink of transferring the discussion from a legal to a scriptural framework (and was perhaps prevented only by an urgent whisper from one of the staff);²⁹ he would subsequently be persuaded, against the vehement objections of Alypius and Aurelius, to summon the Catholic bishops en masse so that their subscriptions could be verified. In the second session, too, Marcellinus remained attentive to the Donatists' requests.

Nor did his stance change, as far as we can tell, during the final session. The moment when he drew the inference that the plaintiff in the case must be the side which first accused the other³⁰ has been seen as decisive, a 'trap', or at any rate an abrupt shift to a more rigorous position.³¹ However, the text does not support so straightforward a reading. Above all, Marcellinus remained responsive to Donatist concerns, putting the onus of proof upon their Catholic opponents³² and continuing to draw attention, on a number of occasions, to the constraints under which he was operating because of the conditions imposed by the emperor.³³

Nor is there any reason to believe that Marcellinus changed his manner after the *Gesta* fail us, when the focus of the debate shifted to the documents which apparently demonstrated the indefensibility of the Donatist position.³⁴ The chapter headings of Marcellus show Marcellinus more frequently reinforcing a Catholic intervention; they also show him pressing for the submission of relevant documents.³⁵ But it was already

27 *Gesta Coll. Carth.* 1.3.

28 *Gesta Coll. Carth.* 1.10.

29 *Gesta Coll. Carth.* 1.31, 35, 40, 45: Lancel's emendation at 1.45 (Lancel 1972–91, 634) perhaps imports undue coherence into a very abrupt U-turn.

30 *Gesta Coll. Carth.* 3.120.

31 Hermanowicz 2008, 211; Lancel 2002, 299; 1972–91, 87 n. 2, 1078 n. 1.

32 *Gesta Coll. Carth.* 3.122.

33 *Gesta Coll. Carth.* 3.140, 164; he invokes the restrictions imposed on him by the emperor at 3.36, 45, 51, 70, 77, 79, 84, 90, 126, 147.

34 Brown 1967, 334: 'Marcellinus ... now took the bit between his teeth.'

35 Marcellus, *Capit.* 3.427, 497, 547, 550: 'Interlocutio Catholicorum dicta confirmans';

the afternoon of the final day, and he would recognise the need to bring the case to a conclusion; the few hints in Augustine's summary of a new imperiousness of manner count for little against clear indications in Marcellus that the Catholic team rather than the *cognitor* was driving the business forward.³⁶ There is no reason to think that either the Donatist *actores* at the conference or any Donatist readers of the *Gesta* will have seen the proceedings being steered inexorably towards a Catholic triumph. What Augustine presents as futile clamour will have seemed patient reiteration of a key point;³⁷ the Catholic laughter included in the record will have seemed to mark not the triumph of the latter but their obtuseness.³⁸

Marcellinus' assumed partiality has influenced modern readings of the *Gesta*. Irony and irritation have been detected in replies that seem neutral;³⁹ he 'blurts out' questions which might in fact have been innocuous.⁴⁰ Similarly, sarcasm has been read into Donatist comments to the chairman, even when they are applauding a favourable ruling.⁴¹ And even complaints from the Donatists need to be seen in context. In an exchange frequently noted, Petilianus says to Marcellinus, 'You are doing enough to defend them, by God'⁴² – the only occasion in the whole record when a bishop swears in this way. It is perhaps natural to read this as an explosion of frustration;⁴³ however, in the transcript the statement comes just after

on producing documents, *Capit.* 501, 508, 510, 516, 518, 537, 544, 569, 572, 575, 577, 579.

36 Augustine, *Brev. Coll.* 3.19.37: 'Spernens ... cognitor incertissimas suspiciones'; 21.39: 'respondere cogebat'; 24.43: 'urgere ... coepit'. Notable Catholic *prosecutiones* are recorded at Marcellus *Capit.* 3.308, 355, 375, 388, 398, 465, 493, 529, 541, 562, 568, 571, 576.

37 Augustine, *Brev. Coll.* 3.18.35: 'Contra haec frustra Donatistae eadem per eadem diutissime clamaverunt.'

38 Augustine, *Ad Donat. post Coll.* 31.54: 'Quae lectio cum magis contra eos recitaretur, nemo risum potuit continere. Qui tamen risus non utique conscriptioni gestorum potuisset adiungi, et omnino latuisset, nisi et ipsum latere non sinerent dicentes: "Audiant qui riserunt": hoc sane scriptum est, et subscriptum.' For the limited relevance of the passage which prompted the laughter, see Lancel 1972–91, 99 n. 3.

39 Graumann 2011, 347, on *Gesta Coll. Carth.* 2.5: 'are we allowed to hear an irony in his voice here?'; cf. Hermanowicz 2008, 219 n. 99: 'One can, I believe, detect some mockery in Marcellinus' words ...'.

40 Shaw 2011, 559, on *Gesta Coll. Carth.* 1.178.

41 *Gesta Coll. Carth.* 1.37: 'Optimus moderator!' Hermanowicz 2008, 198 n. 44 suspects sarcasm.

42 *Gesta Coll. Carth.* 3.234.

43 Hermanowicz 2008, 217.

Marcellinus has conceded an important point to Petilianus, and it seems likely, indeed, that the record has blurred the sequence of interventions at this point (when the speakers were probably speaking on top of each other), and that the vehement outburst had its effect in persuading Marcellinus to reverse a preceding ruling that the matter was closed.⁴⁴

One reason why commentators have been ready to see Marcellinus as a Catholic partisan is the complaint made after their defeat by the Donatists, and reported in detail by Augustine in two separate works, that he had taken bribes from the Catholics. But the charge is only attested a year after the conference; Augustine shows no awareness of it in the *Breviculus*, at the end of 411.⁴⁵ His presentation, moreover, bears examination. Addressing the Donatist laity in *Ad Donatistas post collationem* in mid-412, he takes as his starting point the weary familiarity of the situation, where bad losers were mendaciously crying foul against the referee.⁴⁶ Augustine builds so much of his case around this Donatist grievance that he must have expected it to resonate with his intended audience. He begins with isolated points, remarking that the Donatist Primianus had served the Catholics more effectively than Marcellinus, and suggesting that it was only because they were unable to impugn the integrity of the transcript that the Donatists had turned their calumnies against the judge.⁴⁷ In the final third of the work Augustine mines the seam in earnest, building on the absurdity of the claim that the judge had been bought when the Donatists had done more egregious harm to their case than he had – and indeed, he had worked patiently to limit the damage they were inflicting. How much, he asks again and again as he works through the own goals scored by the Donatists – from their falsified signatures to their fumbled conception of catholicity – would the Catholics have had to pay to find such accommodating opponents?⁴⁸ A

44 Petilianus' protest would in this case respond not to Marcellinus' second statement at *Gesta Coll. Carth.* 3.233, where he calls for the discussion of Augustine's ecclesiastical parentage to be re-read, but to his first, where he declares the question closed ('Nec patrem nec matrem sibi esse Caecilianum apertissima prosecutione signavit').

45 Lamirande and de Veer 1965, 77.

46 *Ad Donat. post Coll.* 1.1: 'cum vobis dicunt iudicem praemio fuisse corruptum, quid novum faciunt? Quid aliud omnes victi facere consueverunt, qui veritati consentire nolunt, nisi ut de iudicis iniquitate mentiantur?'

47 *Ad Donat. post Coll.* 4.6, 11.15.

48 *Ad Donat. post Coll.* 23.39 'obiciunt nobis ... quod aurum iudici dedimus ...'; 23.39bis, 23.40, 24.41, 24.42, 25.43, 25.45, 26.46, 28.48, 29.49, 52, 53; 34.57 'adhuc iacet (sc. pars Donati) iudicem a nobis fuisse corruptum'.

similar point is made, but with less insistent emphasis, in the letter written by Augustine on behalf of a council of Numidian bishops at Zerta almost exactly a year after the conference (14 June 412).⁴⁹ Again addressed to the Donatist laity, it presents itself as a response to reported claims by the Donatist bishops' claims that Marcellinus had been bribed, and the credence that these were reportedly enjoying;⁵⁰ a point-by-point discussion of the chief headings ends with a clear proclamation: 'Let them not tell you, then, that we suborned the judge through bribery.'⁵¹ We should not doubt that the Donatist bishops had ventilated this suspicion; however, the fact that they spoke of bribery rather than collusion indicates that they were not portraying Marcellinus as a Catholic partisan. Rather, they were offering an explanation for a verdict that otherwise seemed inexplicable – for it did not appear, from their experience of the conference (and their reading of the transcript), to emerge logically from the proceedings. Augustine mocks Donatists with the praise they had given Marcellinus during the conference;⁵² they too will have pointed out the contrast between his praiseworthy chairmanship and his inexplicable decision, perhaps adducing in addition the cosy relationship which had meanwhile developed between Augustine and Marcellinus.⁵³ This was not a desperate attempt to engineer the nullification of Marcellinus' verdict, but a shrewdly calculated appeal against it to the more important court of African public opinion.

In this debate, Marcellinus' actual verdict probably counted for less than modern scholars have assumed, for contemporaries will have read the formal edict published a fortnight after the close of the conference more closely than have most historians.⁵⁴ The text has seemed straightforward enough. Although he still hoped that the truth revealed at the conference would have its salutary effect, Marcellinus announced that inveterate obstinacy called for drastic surgery; if the proven innocence of

49 For the relationship between these two texts, see Lamirande and de Veer 1965, 87–9.

50 *Ep.* 141.1 'Cum in auribus nostris fama crebresceret, hoc vobis vestros episcopos dicere, cognitorem praemio fuisse corruptum, ut contra eos sententia proferretur, vos autem ista facile credere, ac propterea multos vestrum adhuc nolle acquiescere veritati.'

51 *Ep.* 141.12 'Non ergo vobis dicant quia praemio corrupimus iudicem.'

52 *Ad Donat. post Coll.* 23.39; cf. *Brev. Coll.* 1.13.

53 For the chronology of the relationship, see Moreau 1973, 27–9, 49–52, 114–20.

54 The text is inserted before the beginning of the third day's proceedings; see Lancel 1972–91, 102–3.

both Caecilianus and his consecrating bishop, Felix of Abthungi, could not cure the diseased, more direct remedies were required. 'Let falsehood now exposed, then, bend its neck to truth': the rhetoric is indeed unequivocal, but the provisions that follow fall into three distinct, and unequal, parts. The first, by far the most impressive and the most detailed, requires a formidable array of local authorities – city councillors, landed proprietors, bailiffs, tenants of imperial and private estates, and elders – to ensure, on pain of forfeiting their rank or even their life, to strive 'to prohibit Donatist assemblies in all cities and places'. The explanatory clause that follows, however, makes clear that in practice this meant that the Donatists should return to Catholic control the churches which Marcellinus had restored them before the conference: a fairly modest restoration, then, of the *status quo ante*.⁵⁵ As for any Donatists who continued to maintain their separate assemblies, a separate clause confidently predicts their punishment under the sanctions of imperial legislation, warning that the identities of the bishops were now (thanks to the conference, we should assume) well known;⁵⁶ in this section, however, no particular framework was established for bringing the malefactors to justice, and Marcellinus (who must, as the wording of the edict makes clear, have been involved in discussions with Donatist spokesmen in the period since the conference) carefully washed his own hands of immediate responsibility – the safe conduct which he had promised the bishops, guaranteeing that they could return home unscathed, remained valid. A further clause then identifies a specific punishment for a specific crime: any who consciously sheltered gangs of *circumcelliones*, if they did not act to suppress their outrages, would see the estates concerned confiscated.⁵⁷ The *circumcelliones* had featured hardly at all in

55 *Edictum cognitōris*: 'Unde universos ordinis viros, dominos etiam fundorum, actores, conductores tam domus divinae quam etiam privatarum possessionum, senioresque omnium locorum, huius edicti auctoritate commoneo quatenus memores legum, dignitatum, aestimationis salutisque propriae, Donatarum conventicula in omnibus civitatibus et locis prohibere contendant, ita ut ecclesias quas eis humanitate mea absque imperiali praecepto usque ad diem sententiae constat indultas Catholicis tradere sine ulla dilatione festinent, ni malunt tot sanctionum laqueis irretiri.'

56 *Edictum cognitōris*: 'Hi autem qui post vetita legum eorum se coetibus miscuerint, indubitanter intellegant poenam se imperiali arbitrio praestitutam ulterius vitare non posse ... Hactenus igitur inimicos fidei Christianae legibus insultasse sufficiat, maxime cum eorum notas certum sit esse personas.'

57 *Edictum cognitōris*: 'Hi autem qui in praediis suis circumcellionum turbas se habere

the conference proceedings;⁵⁸ Marcellinus was here no doubt responding to the concerns that the Catholics had so successfully spread at the imperial court, but in focusing official efforts in this direction he was not helping the cause of Catholic unity.

The edict does, however, advertise one specific initiative by Marcellinus himself. He had referred in his initial statement concerning the vindication of Caecilianus to the proof contained in ‘the successive records’ appended to the edict; he returns to the point, more emphatically, at the conclusion, announcing that ‘a re-reading of the records’ would provide full instruction that the accusations against Caecilianus and his associates were without foundation and had been quashed.⁵⁹ Marcellinus thus establishes the text that he had so painstakingly created and published as a self-sufficient basis for the restoration of Catholic unity. The *Gesta* were his monument; in presenting them to the world he could declare his mission accomplished.

Causa Ecclesiae: **The Catholic Coalition**

There was nothing unusual, in the Roman world, in a presiding official leaving to others the enforcement of his verdict. Translation of Marcellinus’ edict into the extirpation of Donatism required a constituency equipped to apply the necessary pressure: men prepared either to bring recalcitrant Donatists before the authorities or else to organise charges against those named in the edict, the city councillors, estate-owners, land agents, tenants and elders, if the latter failed in their implicit responsibility to suppress all Donatist assemblies in their locality. In his final edict Marcellinus gestured meaningfully towards the Catholic bishops of Africa, announcing that the generous terms that they had offered at the start of the conference still remained in force, and referred the Donatist bishops to them, specifically

cognoscunt, sciant, nisi eorum insolentiam omnimodis comprimere et refrenare gestierint, maxime ea loca a fisco mox occupanda.’

58 They are mentioned only at *Gesta Coll. Carth.* 3.174 (a citation from a letter from Honorius) and a chapter heading of Marcellus, an incidental exchange of insults later in the third day: *Capit.* 3.297.

59 *Edictum cognitoris*: ‘Gestorum autem relectio qua profertur superius memoratum a Donatistis errorem schismatis exstitisse, atque Caecilianum et caeteros, quos improbe crediderant accusandos, fuisse purgatos, sanctitatem vestram plenissime poterit edocere.’

that, in the case of a Catholic victory, Donatist bishops could keep their rank and share authority with their Catholic counterparts in previously contested sees until one or the other died; where the local community demanded a single incumbent, both would step down and a panel of suitably qualified 'unionist' bishops would appoint a replacement.⁶⁰ We should ask, however, how many of the Catholic bishops who returned from Carthage in 411 would have been eager to implement such unions, or had the stomach to take the measures necessary to bring any reluctant brethren into the fold.

The Catholic leadership team certainly presented an impressively powerful and united front. At its centre was the trio of Aurelius of Carthage, Augustine of Hippo and Alypius of Thagaste, three near-contemporaries of astonishing ability who had been promoted to the episcopate within several years of each other and who by 411 had been working closely together for two decades, introducing a programme of reforms to the Catholic church in which the campaign against the Donatists was merely one element. The remainder of the seven *actores* nominated under Marcellinus' rules were close associates of the three and had considerable experience in dealing with the state authorities. Possidius of Calama, Augustine's later biographer, was a product of his Hippo monastery; of the remainder, Vincentius of Culusitana belongs firmly to the Carthaginian sphere, while Fortunatianus of Sicca Veneria and Fortunatus of Constantina can both be claimed as Augustinian disciples (the latter with more certainty).⁶¹ On paper, moreover,

60 *Edictum cognitoris*: 'Ipsam vero catholicorum episcoporum, etiam post victoriam veritatis, noverint Donatistae manere sententiam, ut completis collationibus quas eis et ante oblatas publica conscientia retinetur, et nunc offerri sine dubitatione sat certum est, sese suscipi posse cognoscant.' For the offer, see *Gesta Coll. Carth.* 1.16; for a full discussion, see Lancel 1989, 149–67. O'Donnell 2005, 235–6, argues plausibly but without evidence that there must have been conditions attached to this offer.

61 For Possidius see Hermanowicz 2008. Vincentius of Culusi is first attested in 399, when the council of Carthage appointed him as their envoy to the imperial court; he was appointed a second time in June 407: (see Lancel 1972–91, 284–5). Fortunatianus is probably to be identified with the presbyter of Thagaste who served as Augustine's courier to Italy in 404/5 following Lancel 1972–91, 286): he served (with Vincentius) as delegate to the imperial court of the Council of Carthage in 407, and went again in 408. Fortunatus' horizons seem narrower: in c. 400 he sought the aid of Augustine and Alypius to help fortify a local notable against Donatist arguments (Augustine, *Ep.* 53). He seems to have been closely connected with his predecessor Profuturus, a disciple of Augustine whose consecration to Ciria had forestalled a planned mission to Palestine on Augustine's behalf: Ebbeler 2012, 77–80; Maier and Perler 1969, 175–7, 205–11.

these seven represent the political geography of the Donatist controversy very well. Aurelius was the primate of Africa Proconsularis, bishop of the see where the controversy had begun, and Fortunatianus and Vincentius were his suffragans; the majority of the team, Augustine and Alypius as well as Possidius and Fortunatus, were from the ecclesiastical province of Numidia, where the Donatists claimed to be the dominant party.⁶² Most of the seven *consilarii* can also be associated with this network, and they represent a similar geographical balance, with three Numidians, two from Byzacena and one each from Proconsularis and Mauretania.⁶³

But the balance might be deceptive, and the links that bound the leaders might not have connected them so securely to the rest of the bishops. Of critical importance here is the question of provincial representation. At first sight there seems a fair distribution between the key provinces of Proconsularis and Numidia. But all but one of the Numidian *actores* (and two of the three *consilarii*) belong to Numidia Proconsularis, the peculiar triangle which belonged ecclesiastically to the province of Numidia but politically to the province of Proconsularis.⁶⁴ Their dealings with the state, therefore, were channelled through Carthage rather than Cirta, through the proconsul of Africa rather than the *consularis* of Numidia (who operated in an entirely different structure, reporting via the *vicarius* to the praetorian prefect). The bishops of Numidia proper will therefore have found themselves much less straightforwardly at home at the conference; when they were brought into the chamber on the first day, they will have seen few familiar faces among Marcellinus' administrative staff.⁶⁵

Moreover, the one representative on the Catholic team of the Numidian heartland, Fortunatus of Cirta, played a distinctively low-key role in the discussion. When he answered to his name during the scrutiny of the Catholic signatories, his imperious counterpart Petilianus instantly

62 *Gesta Coll. Carth.* 1.165; the claim is acknowledged at *Gesta Coll. Carth.* 1.18 (=Augustine, *Ep.* 129.6). See Shaw 2011, 807–11.

63 The most eminent was Florentius of Hippo Diarrhytus (Proconsularis), who had been on two missions to Ravenna in 408 and 410. For Novatus of Sitifis and Augustine: *Ep.* 84.1 see Lancel 1972–91, 194 n. 3; 105 for Bonifatius and Mauretanius, the two other Numidians, had both had recourse to his expertise.

64 Chastagnol 1958, 7–19; Lancel 1972–91, 157–8.

65 *Gesta Coll. Carth.* 1.1, with Lancel 1972–91, 58–60: the *vicarius Africae* supplied Navigius the *adiutor numerorum*, reinforced on the third day by an *adiutor subadiuvarum*; the proconsular bureau supplied five members as well as two scribes. No member of the staff of the *consularis Numidiae* was present.

denounced him as a persecutor; the alacrity with which Aurelius of Carthage then spoke up on his behalf suggests strongly that he was recognised by his colleagues to be vulnerable.⁶⁶ Fortunatus managed only one further contribution during the whole conference, a minor point of information.⁶⁷

The lack of serious Numidian representation would matter little if, again, the conference had emerged from a concerted strategy developed collectively by the African Catholic leadership. Such coordination has usually been supposed to have been achieved. Soon after his consecration Aurelius of Carthage introduced a new level of collective activism to the Catholic church, creating (at a council held at Hippo in 393, soon after Augustine's ordination there) a mechanism that would bring Catholic bishops from the African provinces together on, in principle, an annual basis, with three delegates from each separate provincial council.⁶⁸ But although Hippo was perhaps chosen for this initial meeting specifically in order to emphasise the importance of the Numidian episcopate in the counsels of the North African church, the focus thereafter shifted back to Carthage, and remained there.⁶⁹ The record of the councils held during the next two decades is formidable, but it is not clear that they successfully engaged the attention of all African churchmen, particularly in the Numidian heartland.

Already in 397, at the first attested meeting under the new procedures, the absence of a Numidian delegation prompted comment from the legates of (the more distant) Mauretania Sitifensis, who also presented complaints about the encroachments of the Numidian bishop Cresconius of Villa Regia and about an episcopal election in Numidia allegedly conducted by two (rather than the canonically required three) bishops.⁷⁰ A letter delivered by Reginus of Vegesela brought the promise from the Numidian

66 *Gesta Coll. Carth.* 1.138–9.

67 *Gesta Coll. Carth.* 1.201.

68 For the 'Breviarium Hipponense' see Munier 1974, 30–53; 34 for canon 5: 'ut propter causas ecclesiasticas, quae ad perniciem plebium saepe veterescunt, singulis quibusque annis concilium convocetur, ad quod omnes provinciae quae primas sedes habent de conciliis suis ternos legatos mittant, ut minus invidiosi minusque hospitibus sumptuosi conventus plena possit esse auctoritas.' Merdinger 1997, 70ff.

69 The conclusions of the council are enshrined as the *Breviarium Hipponense*; Augustine has been credited with undue influence in the decision to convene this council and in its proceedings (see Lancel 2002, 156–7); the only evidence for his dealings with Aurelius at this stage, *Ep.* 22, makes clear his modest standing.

70 *Reg. Eccl. Carthag. Excerpta* 47–9; Munier 1974, 186–7.

primate of either a personal appearance or a formal delegation, but neither was apparently forthcoming.⁷¹ The disciplinary provisions of the plenary councils, which threatened to undermine the traditional authority of the primate, perhaps encouraged the senior members of the Numidian hierarchy to remain aloof.⁷² The next attested plenary council, again at Carthage, reaffirmed the timetable for future meetings and decreed that provincial primates were to be informed by letter not to convoke their own councils during the same period;⁷³ we might infer that the Numidian primate (who was required, in another clause, to take action in the case of Crescentius of Villa Regia) was again at fault.⁷⁴ A further clause makes provision for the organisation of provincial delegations, with the explicit aim of ensuring a quorum.⁷⁵ This was the council which made the formal commitment to engagement with the Donatists,⁷⁶ the only Numidian bishops who can be placed there with any certainty are Aurelius' allies Alypius and Augustine, and the primate's approved messenger Reginus of Vegesela.⁷⁷

It is reasonable to suppose that, in arranging the next council at Milevis the following year, Aurelius and his associates were aiming to beard the Numidians in their den. Here at last the decrees of the council of Hippo were formally accepted by the primate of Numidia and the Numidian and Mauretanian bishops.⁷⁸ Tensions are suggested by the first item of business, a rousing reassertion by a Numidian bishop, Valentinus of Baia, of traditional Numidian ideas of seniority ('no brother has ever dared to put himself before his seniors') and a call for its reinforcement;⁷⁹ a further item, requiring the formal registration of newly consecrated bishops, so that their relative seniority could be established, might indicate that

71 *Reg. Eccl. Carthag. Excerpta* III, in Munier 1974, 183. The primate's letter was co-signed by Aurelius, presumably of Macomades; cf. below, p. 242. The low profile of the Numidians is noted by Lancel 1972–91, 189–90.

72 Canon 7: *Brev. Hipponense* 7: Munier 1974, 35. For commentary, see Merdinger 1997, 82–4.

73 *Reg. Eccl. Carthag. Excerpta* 73: Munier 1974, 202.

74 *Reg. Eccl. Carthag. Excerpta* 77: Munier 1974, 203. Cresconius was present as the Catholic bishop of Villa Regia at the conference of 411: Shaw 2011, 377–8.

75 *Reg. Eccl. Carthag. Excerpta* 76: Munier 1974, 202–3.

76 *Reg. Eccl. Carthag. Excerpta* 69: Munier 1974, 200.

77 These three are the Numidians identifiable on the panel of 20 council members empowered to judge the case of Equitius of Hippo Diarrhytus (in Proconsularis): *Reg. Eccl. Carthag. Excerpta* 78: Munier 1974, 203.

78 *Reg. Eccl. Carthag. Excerpta* VIII: Munier 1974, 205–6.

79 *Reg. Eccl. Carthag. Excerpta* 86: Munier 1974, 206.

awkward questions of precedence between the Numidians and their guests had triggered Valentinus' intervention.⁸⁰

But the council of Milevis did not bring the Numidian heartland firmly into the conciliar fold. The next year's plenary council, back at Carthage, again discussed the non-appearance of the Numidian delegation. Alypius (who had come with Augustine and Possidius) explained painstakingly that a disturbance among recruits had kept other bishops busy in their own sees and had prevented the dispatch of a formal delegation; he had passed Aurelius' summons to the primate Xanthippus, and there had been plans to hold a Numidian council which would appoint delegates; but to his further letters Xanthippus had replied with the excuse about the recruits.⁸¹ Aurelius' confident remark that the Numidian brethren would doubtless approve of the council's proceedings and see to the implementation of its decisions rings somewhat hollow; it also betrays his recognition that Alypius, Augustine and Possidius (three of the seven *actores* at the 411 conference) did not speak for Numidia as a whole.⁸² This was the council, moreover, which initiated the first formal approach to the imperial government on the Donatist question.⁸³

There is no information about the level of Numidian participation in the councils of the two following years, the first of which saw the dispatch of the first delegation (of two bishops from Proconsularis, bearing their stories of suffering at the hands of the *circumcelliones*) to the imperial court and so set in motion the train of events leading to the conference. But at the council of 407 (when Placentinus of Madaurus attended as a Numidian delegate to present an awkward disciplinary case)⁸⁴ the system of

80 *Reg. Eccl. Carthag. Excerpta* 89: Munier 1974, 207.

81 *Reg. Eccl. Carthag. Excerpta* IX: Munier 1974, 209. Xanthippus was bishop of Thagura, in Numidia Proconsularis and in fact rather closer to Carthage than Thagaste. Hermanowicz 2008, 109 n. 40, would save Numidian solidarity by suggesting that Alypius and Possidius had been staying with Augustine when the unrest began, and therefore had more straightforward access to Carthage.

82 *Reg. Eccl. Carthag. Excerpta* IX: Munier 1974, 209: 'Non dubium est, quod praedicti fratres et coepiscopi nostri Numidia, cum gesta concilii acceperint, et suos adhibebunt consensus, et in effectum deducere maturabunt, quaecumque in placitum venerint: cura ergo istius sedis hoc ipsum ut eis intimetur necesse est provideri.'

83 Shaw 2011, 141–2.

84 *Reg. Eccl. Carthag. Excerpta* 100: Munier 1974, 217; Shaw 2011, 364–5, for the bishops chosen by Maurentius to represent him as 'Augustine's personal mafia'. Maurentius was one of the seven assessors for the Catholic side at the conference in 411.

annual plenaries was accepted to be unduly burdensome and fatiguing, and abandoned except when a shared cause made such a meeting necessary.⁸⁵ Nor is it likely that the bishops of Numidia proper had much to do with the series of embassies to court that were (at least, as far as the vestigial record suggests) the main business of the councils held in the following years; none of the seven envoys named seem to have belonged to the province, and the supplement to the '*circumcellione* dossier' brought by Restitutus and Florentius in 408 seems again to have focused exclusively on Proconsularis.⁸⁶ The torrid experiences of Numidian Catholics at the hands of their Donatist rivals, which emerge so vividly from the transcript of the conference, were not represented in the official version presented to the court.

The Catholic agenda was therefore imposed by a minority. Other bishops, those excluded from the leadership team, might have had reservations about the approach adopted in 411; many probably greeted the publication in their cities of Marcellinus' edict of 19 January, requiring the local authorities to ensure their presence in Carthage, with as little enthusiasm as did their Donatist counterparts – not least because they were compelled to hand back any confiscated basilicas to their rivals and were potentially exposed to claims for damages arising from their previous dealings with the latter.⁸⁷

Any early Catholic arrivals in Carthage who joined the congregation to hear the sermon which Augustine preached on 17 May will have found themselves taken for granted. The heretics, it was triumphantly proclaimed, were already lamenting the imminent imposition of unity; the Catholic people were to show patience and to offer hospitality to the visitors to their city – but the 'slaves of God' whom Augustine invokes here, he makes clear, are the Donatists.⁸⁸ There was no celebration of the unprecedented display of Catholic strength and solidarity, no hand held out to the many Catholic bishops who were visiting Carthage for the first time.

85 *Reg. Eccl. Carthag. Excerpta* 95: Munier 1974, 215.

86 *Reg. Eccl. Carthag. Excerpta* XIV: Munier 1974, 219; 'In hoc concilio susceperunt legationem Restitutus et Florentius episcopi contra paganos et haereticos, eo tempore quo Severus et Macarius occisi sunt, et propter eorum causam Evodius Theasius et Victor episcopi caesi sunt.' All these episodes took place in Proconsularis: Shaw 2011, 518.

87 *Gesta Coll. Carth.* 1.5, with Lancel 1972–91, 31–4.

88 *Sermo* 357.5; Lancel 1972–91, 37 n. 1 assumes the reference to be to Catholic bishops.

The first formal duty of the assembled bishops was to endorse the terms proposed by the Catholic leadership, in response to Marcellinus' edict of late May setting out the framework for the conference.⁸⁹ Augustine gives a revealing account of the process seven years later, when his attempt to draw the combative Donatist bishop Emeritus into discussion in the cathedral of Caesarea was met with stern silence. To fill the awkward gap thus created and, above all, to bring home for the particular benefit of former Donatists in the congregation who still felt a residual tug of their old allegiance the generosity of the terms offered by the Catholics in 411 and so Emeritus' own responsibility for his current isolation, he invited Alypius to read from the *Gesta* the promise made by the Catholics to the Donatist bishops to share authority with them.⁹⁰ Augustine then explained how this text had been framed. 'Several brothers' (the Catholic leadership team, presumably) had produced a draft, which they then pitched to the full body of bishops in whose name it was to be issued. In a passage which suggests much about the decision-making process, Augustine reports the anxieties about possible reactions – 'X can, Y cannot; A will agree, B will not stand it' – and the relief when it won almost universal acceptance immediately, with just one outspokenly dissenting voice, from an elderly bishop, and one further disgruntled scowl.⁹¹ His point is to emphasise the astonishing support from the Catholics for the remarkably generous terms offered to the Donatists; however, the expression of any dissent at all is noteworthy, since this was the first formal meeting of the Catholic bishops, an occasion for the celebration of unanimity. Augustine's account also underplays the significance of an intervention of this sort from a senior figure; the 'fraternal rebuke' necessary to silence such a figure must have been a powerful one, and is likely to have quelled further objections.

There followed, on 30 May, a further plenary meeting of the Catholic bishops, where their most significant business was to write themselves out of the script of the conference itself, assigning full authority to the team of seven advocates to speak in their names.⁹² This was a solemn business, with pledges being given individually and in the presence of Marcellinus; the occasion implied a complex operation to determine the relative seniority of bishops from the different provincial hierarchies.

89 *Gesta Coll. Carth.* 1.16, responding to Marcellinus' edict in 1.10.

90 *Gesta cum Emerito* 5, quoting *Gesta Coll. Carth.* 1.16.

91 *Gesta cum Emerito* 6.

92 *Gesta Coll. Carth.* 1.55.

The mandate begins by announcing the choice of delegates, marking a formal acceptance of Marcellinus' rather patronising invitation to serve as exemplars of patience.⁹³ Any qualms or resentment that the disfranchised Numidian bishops might have felt can only have been reinforced by the knowledge that the Donatists had refused to submit so tamely to these restrictions, and had declared their intention of appearing en masse: 'for it is proper and convenient that all should be present, when a few speakers are discussing a matter of shared interest'.⁹⁴

The first session of the conference opened with the Catholic rank-and-file obediently keeping their distance, apparently grouped in their separate provincial contingents.⁹⁵ It was definitely not part of the plan that they be involved; the summons to attend the session will therefore have been read as a signal that their spokesmen had suffered a setback. The two 'identity parades' that consumed most of the first day's business are often read as symmetrical, but they were in fact very different, in that the Catholics were subjected to a process inflicted upon them by their opponents; they entered, indeed, to hear the *cognitor* assuring the Donatists that he was satisfying their request.⁹⁶ It is difficult not to see humiliation being inflicted when Silvanus, the senior Catholic bishop of Numidia (and far older and more experienced than any of the team of advocates), was called forward, required to state his name, and required to leave.⁹⁷

Explicit evidence for Catholic withdrawal is limited to the first bishops to be called, but it seems conclusive. When Silvanus, the primate of Numidia and so, with Aurelius, the co-author of the formal letters to Marcellinus written before the council, had identified himself, Marcellinus instructed him to leave, since he had not 'undertaken the conference'; the *Gesta* laconically record his departure before moving to the next name.⁹⁸ After the next name had been called and the bishop had confirmed his

93 *Gesta Coll. Carth.* 1.10: 'ut religioso patientiae magisterio delinitum Christianae paci populum parent ...'.

94 *Gesta Coll. Carth.* 1.14: 'Hoc enim decet et expedit ut cunctis praesentibus commune negotium pauci loquantur.'

95 *Gesta Coll. Carth.* 1.72.

96 *Gesta Coll. Carth.* 1.98.

97 *Gesta Coll. Carth.* 1.99.

98 *Gesta Coll. Carth.* 1.99: 'Item recitavit: "Silvanus episcopus Summensis Ecclesiae catholicae." Idem dixit: "Praesto sum." Marcellinus vir clarissimus tribunus et notarius dixit: "Silvanus qui non suscepit collationem exeat." Quo egresso item recitavit ...'.

identity, Alypius then demanded that the counterparts 'of the two who have just departed' should stand forward and identify themselves.⁹⁹ The pattern was therefore established at the outset that the signatories should leave the room when they had declared themselves.

This makes any subsequent appearance in the record of any Catholic voices not from the mandated team exceptionally interesting.¹⁰⁰ For, almost immediately, the pattern of withdrawal was subverted – and we have no way of telling whether those who stayed did so in conspicuous defiance of the agreed procedure or by mingling quietly with those still waiting. There is, however, no sign of any coordinated strategy. Instead, it seems that certain individuals were determined to make particular points. Victor of Libertina, one of the senior Catholics (he was the fifth signatory of the mandate) had previously been the first to disrupt the mutual identification process by dismissing the Donatist Ianuarius' claim to the diocese with a denial that he had any clergy, any communicants or any church there, thus triggering an altercation between Petilianus and Alypius that required the intervention of Marcellinus.¹⁰¹ But when, much later in the day, Ianuarius made his own declaration (the Donatist bishops were required merely to answer to their names), Victor was there to speak up against him, repeating the claim that 'there is unity there'.¹⁰² It would seem that he had stayed on deliberately, determined to have the final word that was denied him in his own hearing; it is noticeable that none of the *actores* on either side took up the issue.

Reparatus of Sufasar in Mauretania Caesarea, a much more junior figure (207th overall), had no local opponent, but when undergoing scrutiny helpfully volunteered that there had previously been one.¹⁰³ He reappeared when the Donatist Ianuarius of Numidia had answered to his name (and had brushed off a challenge from Fortunatianus, who had clearly never heard of his see and perhaps thought that a nameless Numidian village was being inflated into a city), making the point that this Numidia belonged to his own see, and that he had a presbyter there, who 'has held vigils with you'.¹⁰⁴ Reparatus had perhaps noticed Ianuarius among the Donatists, and had

99 *Gesta Coll. Carth.* 1.113.

100 Lancel 1972–91, 81.

101 *Gesta Coll. Carth.* 1.116–20.

102 *Gesta Coll. Carth.* 1.201. For the situation, see Lancel 1972–91, 126 n. 1; Lancel 1991, 1307–8, 1409–10.

103 *Gesta Coll. Carth.* 1.133.

104 *Gesta Coll. Carth.* 1.188.

determined to stake his claim to a see which would otherwise be entered in the record as uncontestedly Donatist.

Somewhat different considerations actuated Palatinus of Bosetana (in Proconsularis) and Cresconius of Zarai (in Numidia), both of whom stayed behind to point out that their counterparts were rebaptised deacons – defectors from their own clergy, we should infer.¹⁰⁵ The particular intimacy of the betrayal involved in seeking promotion from the enemy perhaps suffices to explain their determination to have it inscribed on the record.¹⁰⁶ But both ex-deacons were also very recent recruits to the Donatist episcopate, and their defections had followed in immediate succession (Felix of Bosetana was 203rd on the Donatist list, Rogatus of Zarai 204th);¹⁰⁷ the double scandal was therefore still current, and this perhaps encouraged their two bishops to coordinate plans for a solemn intervention, each using the same terse formula.¹⁰⁸

Not all interventions went as planned. Ampelius of Vaga, who had not signed the Catholic mandate and so had not undergone the scrutiny process, was therefore still present during the Donatist roll-call and (it would seem from mishearing the name of the see) interrupted the declaration of the bishop of Ausvaga;¹⁰⁹ this helped trigger one of the less successful challenges from the Catholic side, as Aurelius and Alypius called for further scrutiny and one Rogatus of Gagaritana Plebs, himself a converted Donatist,¹¹⁰ then claimed that his counterpart at Vaga was Ianuarius, not Privatus. The sequence here suggests strongly that Rogatus had prompted the two *actores* to present the challenge; he had perhaps stayed behind in the hope that his knowledge of the Donatists would help him to make an impression on the Catholic leadership. However, as Primianus (in a rare intervention) pointed out, this was a simple error attributable to the existence of two different sees with the same name;

¹⁰⁵ *Gesta Coll. Carth.* 1.203.

¹⁰⁶ Cf. Shaw 2011, 93.

¹⁰⁷ Victor of Tituli, consecrated immediately before them (in 202nd place: *Gesta Coll. Carth.* 1.202) was so recent an appointment that he did not expect his Catholic counterpart to recognize him: *Gesta Coll. Carth.* 1.133.

¹⁰⁸ It is possible, too, that the somewhat junior Cresconius (119th on the Catholic list) was simply following the lead of Palatinus (73rd); both could reasonably be exercised by concerns that their counterparts would inherit the sees under the terms of the Catholic offer.

¹⁰⁹ *Gesta Coll. Carth.* 1.176.

¹¹⁰ *Gesta Coll. Carth.* 1.128.

the mistake does not reflect well on Rogatus, since both these bishoprics were apparently in the same province of Byzacena (and Privatus was one of the senior bishops of the Donatist side, 14th in overall seniority).¹¹¹ The episode brings home nicely the inability of the Catholic leaders to impose a smooth choreography.

But one voice in particular brings home how far the leadership was from controlling the proceedings. Aurelius of Macomades, one of the senior Numidian bishops (he was third in seniority in Numidia, and fourth overall), made no fewer than 14 separate interventions during the inspection of Donatist claims, starting with a rejoinder to Rogatianus (27th in the Donatist list) that there had been Catholic bishops contesting his see, that a presbyter was in place there and that an election was pending,¹¹² and ending with a similar comment in response to Donatianus, ranked 228th.¹¹³ His sallies are notably combative: he accuses one Donatist bishop of having killed his Catholic counterpart,¹¹⁴ another of having 'destroyed many citizens' by his persecution¹¹⁵ and another of having been previously defrocked for adultery.¹¹⁶ Such outbursts prompted several challenges from Donatist spokesmen, who dared him to make explicit the implied criminal accusation.

Lancel downplays the oddity of Aurelius' interventions; he suggests that he had been assigned in advance an 'unofficial' role equivalent to that of the Donatist deacons of Carthage who provide information on Proconsularis.¹¹⁷ But there is absolutely no provision for such a role in the detailed arrangements for the council and, had the Catholic leaders recognised the need for Aurelius' expertise, they could easily have included him as an actor at the expense of the ineffectual Fortunatus or the superfluous Possidius. Lancel, furthermore, claims that this role was necessary because the *consilarii* were unable to intervene,¹¹⁸ but (quite apart from any whispered advice,

111 Lancel 1991, 1318–9.

112 *Gesta Coll. Carth.* 1.182.

113 *Gesta Coll. Carth.* 1.206.

114 *Gesta Coll. Carth.* 1.187.

115 *Gesta Coll. Carth.* 1.198.

116 *Gesta Coll. Carth.* 1.201.

117 Lancel 1972–91, 193, '... mission officieuse d'exercer sa vigilance contre les prétensions des donatistes numides, et qu'il s'y était préparé en étudiant avec soin les *matriculae* de sa province, sans se fier uniquement à sa mémoire.'

118 Lancel 1972–91, 194. Marcellinus' instructions envisaged that the *consilarii* would remain silent: *Gesta Coll. Carth.* 1.10, 'servata primitus per omne colloquium moderatione silentii.'

which would not be recorded in the official transcript) Novatus of Sitifis does speak up, very effectively, on two important occasions.¹¹⁹ There is not the slightest indication, moreover, that Aurelius was acting in conjunction with the mandated Catholic spokesmen. One of the most striking features of his interventions, indeed, is that in every case he operates alone, without any support from the leadership team. Nor does he ever speak up in support of any of their interventions. This suggests strongly that he was acting in deliberate isolation. Whether intentionally or not, he will thereby have given the impression (which will not have been lost on Marcellinus) that he did not trust the appointed spokesmen to do their job. For all the formidable eloquence it included, the Catholic front bench did not speak for Numidia.

Nullus Strepitus, Sermo Nullus: **The Donatist Team-building Experience**

The Donatists suffered the same structural problems as the Catholics, but to a much greater degree. They had nothing to match the regular councils which had at least given a sense of shared purpose to the inner core of Catholic bishops. Few Donatists attending the conference will have remembered the great council of Bagai 17 years earlier (the year after Aurelius had launched his conciliar campaign at Hippo), where some 300 bishops had stood behind Primianus of Carthage to hurl lurid anathemas upon the Maximianist schismatics; nor did that council provide a useful rallying-point for a new Donatist generation faced with very different challenges.¹²⁰ Modern scholars have surmised subsequent assemblies, a council held in response to the initial Catholic call for a conference in 403 and a collective appeal to the imperial court Ravenna in 406.¹²¹ Both, however, are probably phantoms. In the first instance we hear only of references to a prospective council by bishops seeking to evade a summons to meet their Catholic counterparts;¹²²

119 *Gesta Coll. Carth.* 1.188–9 (on Cresconius of Caesariana, who had declared his see uncontested): ‘Habet contra se Catholicum presbyterum, clericos abundantes, et populos ex coetu Donatistarum. Hic est presbyter et diaconus, hic in hac civitate Carthaginensi, quem praedavit, quem torsit, quem suspendit. Ecclesiam autem catholicam praedavit, pecuniam sustulit, frumenta deportavit, carpenta duxit, ut norit iste, quia est illic Ecclesia catholica. Hoc sum prosecutus’; cf. 204.

120 On the council of Bagai, see Shaw 2011, 125–30.

121 Monceaux 1901–23, (see vol. 4, 1912), 365–6.

122 Augustine speaks only of Donatists referring to a prospective council (*Ep.* 88.7;

in the second the mysterious request for a hearing was probably made by individual petitioners acting on their own initiative.¹²³ Even more than for the Catholics, then, the conference would have been the first opportunity for most of the Donatist episcopate to meet their colleagues.

The lack of coordinated planning is apparent in the Donatist team sheet. Primianus of Carthage was not, we can confidently suppose, the brute painted by Augustine,¹²⁴ but his initial reluctance to join the panel of *actores*, when the Donatist mandate was approved on 25 May, suggests that he recognised himself to be a divisive figure, or else perhaps too easy a target for Catholic shafts.¹²⁵ Only in the immediate prelude to the conference did he claim a place; part of this arrangement was that he be accompanied by two deacons, who contributed much more to the proceedings than he did.¹²⁶ Meanwhile, we should not take smooth cooperation between the other Donatist spokesmen for granted. The record indicates several false starts and blind alleys;¹²⁷ nor is it clear that the rotation between speakers always reflected either advance planning or mutual agreement. Petilianus and Emeritus in particular were both forceful speakers, but belonged effectively to different generations (Emeritus played a prominent part in the council of Bagaï, before Petilianus' consecration), and represented cities nearly 400 kilometres apart, in different provinces;¹²⁸ they may well have never met

C. Cresc. 3.46.50); had it taken place, we can be sure that he would have found occasion to ridicule its decisions.

123 In his fullest reference to the episode, Augustine refers only to individuals, not to a conciliar delegation (*Ep.* 88.10, 'vestri ... collegae qui navigaverant'); he uses a generic collective at *Ad Donat. post Coll.* 25.44 ('et ipsi apud praefectos collationem petiverant' and *Brev. Coll.* 3.4.5. Nowhere in the long exchange in the *Gesta Coll. Carth.* (esp. 3.141ff) are they referred to as *legati*.

124 Shaw 2011, 109 n. 6, has sensible comments.

125 *Gesta Coll. Carth.* 1.157; cf. 201, the declaration of the displaced *actor* Victor of Thabbora.

126 Habetdeum and Valentinianus supply points of information at *Gesta Coll. Carth.* 1.126 (twice), 128 (twice), 133 (21 times), 135 (six times), 138, 139, 143, 189; Primianus speaks a total of 11 times. It is not clear from Marcellinus' remark at *Gesta Coll. Carth.* 1.128, overruling a Catholic objection to their contributions, whether he had approved their presence in advance.

127 A notable example is the proposal by Adeodatus of Milevis for a compromise on the procedure (*Gesta Coll. Carth.* 1.88); Petilianus overruled him on the central Donatist demand (1.90–2), to which Adeodatus then professed rather strident agreement (1.94: 'Hoc expectavimus, hoc desideravimus ...').

128 For biographical information, see above all *PCBE* 1.340–9 (Emeritus), 855–68 (Petilianus); also Lancel 1972–91, 208–38; Monceaux 1912, 1–85, 130–89.

each other before their arrival in Carthage, and it might be surmised that a quiet contest for supremacy lay behind some of their interventions.

This was probably an important factor at work behind the single most damaging slip made by the Donatists during the first session. This occurred towards the end of the day, when a certain level of weariness was all too likely. When Quodvultdeus of Cissi, one of Emeritus' Mauretanian suffragans, failed to reply to his name, Petilianus announced that he had died 'on the journey'.¹²⁹ As the sequel soon proved, he spoke without full mastery of the case, perhaps intervening in order to avoid a repetition of the impression of confusion caused by the awkward handling, a few minutes earlier, of another absentee, Felix of Summa (Petilianus had eventually invoked another missing Mauretanian bishop to explain the muddle).¹³⁰ The Catholics were not slow to point out the absurdity of a dead traveller eventually arriving to sign the Donatist mandate and a veritable feeding frenzy ensued, which (according to Augustine's gleeful commentary) left the Donatists in visible and prolonged disarray;¹³¹ only Petilianus' fellow-Numidian Adeodatus came forward to help, with the specious suggestion that Quodvultdeus had died during his return journey to Mauretania after falling ill at Carthage. Marcellinus had declared himself conditionally prepared to accept this explanation, but Emeritus punctured the Numidians' fabrications by asking what would happen if someone else had, in fact, signed for the dead man. Augustine is happy to explain this as collective confusion;¹³² in fact it betrayed something more dangerous: a fundamental disagreement about the tactics to be employed.¹³³

Despite these disadvantages, however, the Donatists were somehow able to improvise a collective strategy at the outset and to follow this through in a manner which probably gave most of the bishops there present

129 *Gesta Coll. Carth.* 1.207. For the location of Cissi, see Lancel 1991, 1364–5.

130 On Felix of Summa, see *Gesta Coll. Carth.* 1.197–201; although he had already reported him absent sick (*Gesta Coll. Carth.* 1.114), the Donatist actor Adeodatus had to call for a pause to seek an explanation for his failure to answer his name ('exspecta: hoc quaeritur'). Felix of Lambdia had initially been named by another Mauretanian bishop, Optatus, at this point.

131 Augustine, *Brev. Coll.* 1.14.46: 'illi diu fluctuaverunt, perturbati, et nescientes quid responderent ...'; *Ad Donat. post Coll.* 23.40: 'post magnas angustias perturbationis atque inconstantis et variae responsionis suae...'; cf. *Ep.* 141.1.

132 Augustine, *Brev. Coll.* 1.14.46: 'vehementius perturbati'; he uses the same formulation in *Ad Donat. post Coll.* 23.40.

133 Cf. Primianus at *Gesta Coll. Carth.* 1.183: 'loquamur veritatem'; an implicit rebuke to Petilianus might be detected here.

the impression that the conference had been a success for their party. From the moment of their arrival into Carthage the Donatists were able to create opportunities to express (and, no less important, to consolidate) their solidarity in ways which the Catholics, as far as we can tell, never matched. We should not forget that the intricate proceedings of the third day were reserved for the 18 expert disputants on each side; for the vast majority of the bishops the events of the first day, in which they themselves had been directly involved, will have registered far more powerfully.

The grand entrance into Carthage on 18 May was recalled pointedly both by the Donatist bishops in their formal notification to Marcellinus a week later, six days before the conference, and again by Petilianus during the opening session.¹³⁴ It may well have been the Numidian contingent who formed the procession; arrangements for such a spectacle do not seem to have been included in the instructions circulated among the Donatist bishops by Primianus.¹³⁵ Augustine himself had to acknowledge the impression which this parade made: 'they turned the eyes and attention of so great a city on themselves'.¹³⁶ We should not minimise the impact this will have had on the Donatist bishops themselves, most of whom will have left their cities resentfully, with feelings like those elaborated by Petilianus – that they were being summoned by edicts, called forth from their sees, troubled by the hardships of travelling.¹³⁷ With their staged arrival they began the process of seizing control of an agenda designed by their enemies.

But the key step was taken at the meeting held to frame a response to Marcellinus' edict setting out the framework for the conference, when the bishops rejected his decision to limit direct participation in the conference to a limited number of delegates from either party. We cannot tell whether the proposal was first introduced from the chair or raised from the floor, but the plea that Marcellinus should rescind his terms and 'command that all of us come to you' became the key to the whole document, the basis for

134 *Gesta Coll. Carth.* 1.14: 'nostri adventus et omnes quos Carthago continet testes sunt, et tua sinceritas non ignorat'; 1.29: 'et omnem non dico Carthaginem, sed Africam fecimus testem.'

135 Our only source for Primianus' *tractoria* is Augustine, *Ad Donat. post Coll.* 24.41, hardly a reliable witness; but we might reasonably infer that the document emphasized the importance of attending rather than prescribing the manner of arrival.

136 Augustine, *Ad Donat. post Coll.* 25.43; Shaw 2011, 568–9.

137 *Gesta Coll. Carth.* 1.12.

a point of principle: 'For this is right and fitting, that all should be present when a few discuss business common to all.'¹³⁸

Marcellinus did not, of course, comply with the demand; and in deciding to arrive en masse at the first session the Donatists were taking a huge, indeed a threefold, risk. Marcellinus could simply have called their bluff and either denied them entry or declared the case forfeit; any such result would have triggered recriminations among the travel-weary Donatist ranks and exposed painfully the political ineptitude of the leadership. Hardly less dangerous was the possibility that the Donatist audience should be assembled only to see their champions being outmanoeuvred and outwitted by their Catholic opponents – and with advocates of the calibre of Augustine and Alypius on the opposing bench, this was a real danger (as indeed became apparent during the exchanges over Felix and Quodvultdeus late in the day). The alacrity with which Petilianus launches his early sallies might reasonably be understood as an attempt to engage with and encourage the Donatist ranks.¹³⁹ But success here only heightened the third danger courted by the Donatists: that the presence of so many bishops would fulfil Marcellinus' fears of tumult.¹⁴⁰ It would have taken only one hot-tempered partisan either to lend intemperate support to his own spokesmen or to retaliate to the provocations from the other side to defeat the whole strategy; and it says much for the success of the Donatist spokesmen in maintaining a disciplined momentum that the expectations of trouble so assiduously canvassed by the Catholics found no purchase.¹⁴¹ The rejoinder (Augustine's first significant contribution) to Emeritus' impressive evocation of the prayerful silence maintained by the Donatist bishops was notably weak.¹⁴²

The very risks which the Donatists thus took only increased the rewards which attended success. During the course of the first day the bishops were

138 *Gesta Coll. Carth.* 1.14.

139 *Gesta Coll. Carth.* 1.7, 9, 12.

140 *Gesta Coll. Carth.* 1.10 (citing his edict): 'Nam cum patientia disputandi quae soli amica silentio est, omnem catervatim agminis strepitum perhorrescat, nihil interest, utrum eam congestio populorum, an episcoporum turba praepediat.'

141 *Gesta Coll. Carth.* 1.18; 78, 81, 83.

142 *Gesta Coll. Carth.* 1.80: 'Nullus strepitus, sermo nullus, imo ad Deum continua oratio, et ad coelum privata vox'; 81: 'Ad multa fratris mei videat nobilitas tua quam pauca respondeam. Quod si nobis voluerint respondere, causa tota cito forsitan peragetur; metuendum est, ne ideo non fiat tumultus ab hac turba quae praesens est, quia non hic est alia multitudo, in quam possit referri causatio.'

able not only to see their spokesmen hold their own against the vaunted powers of their opponents; they were also able to enjoy a sense of their own collective identity, to feel the strength of their numbers and to see the designated representative of the Roman state respond to that strength. Even the less successful passages of argument, towards the close of the first day, would have had some utility (now that the collective self-confidence of the Donatists had been consolidated); the aggressive malice of the Catholic advocates in turn would have diminished faith in the promise held out at the outset (and one which must have held considerable attractions for many on the Donatist side) of harmonious power-sharing.

It bears repeating that, for most of the bishops, the first day *was* the conference. Not only was the decisive third session reserved for the designated speakers, but the transcript of the complex arguments of that session was not published until long after Marcellinus' abrupt decision at the end of the day, by which time partisan narratives would already have gained traction; and very few readers, as Augustine complained, had the stomach to face the text itself.¹⁴³ Those who read the *Gesta* through Donatist spectacles, moreover, would not necessarily have found there a straightforward vindication of Catholic claims.¹⁴⁴ Seven years after the conference, Emeritus of Caesarea would maintain that the *Gesta* showed the Donatists 'crushed by power' rather than 'defeated by truth'.¹⁴⁵

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It is beyond the scope of this paper to explore developments during the decade after 411. The evidence is limited; and here, too, historians easily succumb to inherited assumptions, many of them derived from Augustine. But, once again, careful reading of Augustine can suggest conclusions very different from the conventional ones.¹⁴⁶ And, if the arguments of this paper are accepted, we should no longer read into our narrative of these subsequent events the triple theme of systematic state enforcement of the verdict of 411, concerted Catholic enthusiasm for its terms and Donatist demoralisation in its wake.

143 See above, n. 2.

144 There is a good discussion of the arguments in Hogrefe 2009.

145 *Gesta cum Emerito* 3.

146 For the case of Antoninus of Fussala, see McLynn 2010.

TEXTUAL COMMUNITIES AND THE DONATIST CONTROVERSY¹

Richard Miles

Introduction: Showdown in Calama

Sometime around 400 CE a North African bishop wrote a letter to a neighbouring bishop and major local landowner:

Now, unless I'm mistaken, there is, by the Lord's help, nothing to prevent us: we are both in Numidia, and located not far from one other. I've been told that you are still willing to examine, in debate with me, the question that divides us from communion with one other. Look how swiftly all confusion can be dispersed: please reply to this letter, and perhaps that will suffice for us two and those who want to listen to us. If not, let us exchange letters until discussion is exhausted. What greater benefit could come to us by the relative proximity of the cities where we live? I have decided to debate with you just by letters so that nothing that is said will be forgotten, and to ensure that all who are interested in this question, but unable to be present at a debate, may not miss out on further understanding.²

The cordial tone of this letter masked the bitter schism that divided these two prominent men and their respective ecclesiastical factions. Behind the

- 1 I would like to thank Jennifer Ebbeler for very useful and insightful comments on this paper. This paper was also greatly improved by the observations and comments of all those who attended the Colloquium. Needless to say, however, all errors remain my own.
- 2 'Nunc excusatio, nisi fallor, nulla est adiuvante Domino; ambo in Numidia sumus, et nobis loco terrarum invicem propinquamus. Rumor ad me detulit, adhuc te velle mecum disputando experiri de quaestione, quae nostram dirimit communionem. Vide quam breviter omnes auferantur ambages, ad hanc epistulam responde, si placet, et fortasse sufficiet, non solum nobis, sed et eis qui nos audire desiderant; aut si non sufficiet scripta atque rescripta, donec sufficiant, repetentur. Quid enim nobis commodius poterit exhibere urbium, quas incolimus, tanta vicinitas? Ego enim statui nihil de hac re agere vobiscum, nisi per litteras, vel ne cui nostrum de memoria quod dicitur elabatur, vel ne fraudentur talium studiosi, qui forte interesse non possunt' (Augustine, *Ep.* 51.1).

collegial veneer, the letter's author was completely aware of the extreme pressure that it placed on its addressee, Crispinus, the Donatist bishop of Calama.

Augustine and his protégé Possidius, the Catholic bishop of Calama, had been trying to pin down the Donatist bishop to a public discussion on the longstanding ecclesiastical disagreement between their respective churches for some time. A few years previously Augustine and Crispinus had communicated on the possibility of setting up a public meeting between themselves in Carthage. However, Augustine was clearly now of the opinion that Crispinus was stalling. This letter, like his others, was probably widely copied and disseminated; its challenge to the Donatist bishop was thus very public.³

Making little headway through letters, Augustine subsequently resorted to exerting pressure through legal and governmental channels. In 403, after intense Catholic lobbying, Crispinus was called before the magistrates of Calama to answer a letter of summons issued by the Proconsul, Septiminus. Crispinus, however, delayed the proceedings by requesting that he be able to confer with his episcopal colleagues. A number of weeks later, after attending a meeting with his fellow Donatists, Crispinus appeared in front of the magistrates and submitted a formal response to the Catholic request for a debate. The surviving account of Crispinus' appearance in front of his fellow grandees and citizens of Calama leaves a strong impression of the humiliation that was heaped on the shoulders of the embattled bishop. His blustering and increasingly disjointed 'see no evil, hear no evil, speak no evil' defence of his refusal to engage with his opponents was mercilessly pulled apart by an increasingly confident Possidius.⁴ Crispinus had been caught in a trap. If he responded to his opponent's jibes then his words would undoubtedly have been carefully copied down by either the city stenographers or his Catholic opponents, thereby breaking the preferred Donatist tactic of non-engagement with an enemy growing in intellectual vigour and confidence now that the tide of imperial support was slowly but irrevocably turning their way. Silence, however, laid open the very real possibility of ridicule and the perception of weakness. In the previous century the Donatist church had known both good times and bad. Now that the halcyon decades of imperial tolerance

3 On the copying of Augustine's letters and the sending out of multiple copies to put pressure on recipients see Ebbeler 2012; Miles 2008.

4 Augustine, *C. Cresc.* 3.46.

that had followed the emperor Julian's decision to reverse prejudicial legislation against them were drawing to a close, the Donatists had clearly decided to hunker down and wait for better days. Refusing to be drawn into potentially incriminating public debates with their Catholic opponents was part of that strategy. In the end, Crispinus suffered in silence. A few weeks later the Donatists responded. Buoyed by their success, Possidius and his entourage set out on an expedition into the Numidian countryside on a preaching campaign against the Donatists. There they were waylaid by an armed posse, mustered by one of Crispinus' deacons, who nearly succeeded in killing him.⁵

Crispinus was one of a number of Donatist bishops who did all that they could to avoid entering into any kind of dialogue with Augustine. By the early years of the fifth century CE Augustine had already built up a fearsome reputation as a theologian and disputant. The Donatists' reticence to engage in rhetorical debate was not prompted merely by fear of a humiliating defeat in front of an audience numbering at most a few hundred. Rather, it was Augustine's dogged insistence on stenographers being present to record every utterance of the disputing parties – utterances which would then be faithfully copied and widely distributed across North Africa – that prompted the Donatists' avoidance of public debate. There were no 'off the record' discussions with Augustine. Crispinus' attempt to follow the code of religious *omerta*, therefore, was always doomed to failure. His unconvincing and disjointed attempts to bat away Possidius' demands and insinuations were carefully copied down and later used as ammunition in Augustine's three-volume demolition of the Donatist laymen Cresconius. It is hardly surprising that Crispinus' associates considered violence to be their only recourse.

The next year, during his own trial for heresy directly brought on by the assault on Possidius, Crispinus, at the insistence of Augustine, was forced into another public debate with his Catholic opposite number in front of the Proconsul.⁶ On this occasion he was condemned as a heretic. Possidius, however, successfully intervened with the judges so that Crispinus was excused from paying the large fine which formed his punishment.⁷ Augustine and the Catholics could afford to be merciful

5 Augustine, *C. Cresc.* 3.46; Hermanowicz 2008, 113.

6 Possidius, *Vita Augustini* 12.7. Hermanowicz 2008, 115–6. The *defensor ecclesiae* who had not shown himself to be sufficiently partisan had been replaced.

7 Possidius, *Vita Augustini* 12.7.

now that they had emerged victorious and the details of their triumph transcribed into the court records. Indeed, such public magnanimity helped to assuage any unwelcome associations with persecution.

This episode stands as a striking testament not only to the air of menace that often swirled around the Donatist Controversy but also to how this seemingly most intractable of schisms was articulated and contested through texts. Augustine and Possidius' public challenge to Crispinus marked an important watershed moment for the Catholic strategy against the Donatists. That change of strategy and its important consequences for the North African church are the focus of this work.

This chapter explores the Donatist Controversy through the lens of the production of new texts, particularly those that were supposed to be transcribed versions of the spoken word. Prior to Augustine much of the energy expended on this sectarian conflict, particularly with regards to the production of new texts, was used to maintain rather than to challenge the status quo. First the emergence of the Donatist church will be examined as an increasingly strong and coherent textual community in the decades that followed the onset of the schism. Then this chapter will explore how Augustine of Hippo consistently sought to challenge its validity. It will be argued that, in line with his vision of a universal Catholic church, Augustine sought to breach the clearly defined sectarian boundaries that existed between the Catholics and Donatists as *textual communities* and, in the process, redefined the Donatists from the hermetically sealed pure Church of God and the Martyrs to mere schismatics and heretics.

However, any discussion about the significance of textual communities in the context of the Donatist Controversy comes with an important caveat. There was no room for ambivalence in the copious polemical writings of Augustine or any of the other ecclesiastical writers who provide most of the surviving reportage of the Donatist Controversy. Yet religious ambivalence certainly existed in late antique North Africa. As with the later controversy between the Nicene and Homoian churches during the Vandal period, much of the stridency in the writings of its leading protagonists was aimed at creating clear-cut choices for congregations for whom these distinctions meant far less. Across Africa, Catholic and Donatist congregations continued to fraternise with one another in a way that stood at odds with the stark sectarianism found in the letters, treatises, histories, sermons and council records of their clergy and bishops.⁸

8 I thank Neil McLynn and Robin Whelan for reminding me of this important point.

However, the ambivalence of the silent majority does not mean that the textual communities that were created by both Donatist and Catholic communities did not matter. They had real consequences as both sides increasingly sought to bring down the iron fist of imperial law upon the heads of their opponents – consequences that would have a profound effect on the committed and the ambivalent alike.

Persecution Complex: (Re)Constructing the Donatist Textual Community

It is, of course, difficult to reconstruct the Donatist church from the suffocating weight of Augustinian invective. However, recent scholarship has started to reveal a self-confident and coherent textual community whose distinctive identity was constructed, defined and performed through a range of religious and non-religious texts.⁹ The textual bedrock of the pre-Constantinian church in Africa had been the Scriptures (both Old and New Testaments), increasingly supported by a raft of exegetical, ecclesiological and eschatological literature predominately authored by major local figures such as Cyprian and Tertullian. This literature was in the form of treatises, sermons and letters. Of the non-canonical works, the acts and passions of North African martyrs (who had died at the hands of the Roman imperial persecutors) were also very influential. This textual legacy is almost exclusively North African in flavour and places a strong emphasis on the church as an island of pureness in a sinful world.¹⁰

The ecclesiological positions taken by the Donatist church were generally far more in step with the traditions of the North African church than those of their Catholic rivals. The strongly held Donatist belief on the purity of the church clearly fitted well with those held by their revered predecessors, as did its tendency to celebrate the particularity of the North

9 Maureen Tilley (Tilley 1991; 1997a; 1997b) has been at the forefront of this work. In my use of the term 'textual community' I am clearly indebted to the work of Brian Stock (1983). Textual communities can be defined as groups whose collective identity and internal coherency were policed and reaffirmed through texts. Such textual communities are not limited to the literate but merely require islands of literacy within the community to disseminate them. Respect for the authority of texts, rather than literacy itself, therefore, is the key qualification for membership of such textual communities.

10 Beddoe 1993, 234.

African church.¹¹ Likewise, the Donatist tenet that Christians should not remain in communion with *traditores* because it would contaminate the whole ecclesiastical community was wholly aligned to the views held by no less a figure than the universally accepted colossus of the North African church, Cyprian of Carthage.¹²

Donatist distrust of Roman imperial power, although often opportunistic and pragmatic, as evident in their numerous appeals to the emperor, essentially mirrored that of the pre-Constantinian church. The Constantinian revolution, which had brought the Christian church into the bosom of Roman Empire, had offered Christian intellectuals new options for articulating their relationship with Roman imperial power. For the Catholics, Constantine's support in 313 allowed their spokesmen to claim imperial legitimacy and the advent of an age of peace and unity. For the Donatists, Constantine's rejection of their position provided the opportunity to further strengthen their self-proclaimed credentials as the True Church, kept pure by the rod of imperial sanction.¹³

People of the Bible

Many of those Donatist heroes were found in the Bible. The age of self-sacrifice might have passed, but, increasingly, the church of martyrs found its bearings in the Bible as the holy assembly of Israel in the midst of its unclean enemies.¹⁴ By the late fourth century, however, the Donatists, when confronted by the sustained assault of Augustine and the imperial authorities, had retreated to their former position as a Church of the Martyrs.¹⁵ Around 400 CE, the leading Donatist bishop Petilian produced a work that sifted through the Scriptures for the biblical ancestry of the Donatist church. He found them amongst the great biblical martyrs: the Maccabees, Daniel, the Three Hebrew Youths and Jesus himself.¹⁶ Petilian

11 E.g. Tertullian, *Ad Martyras* 1–2; *De Paenitentia* 1.

12 E.g. Cyprian, *Ep.* 67.3. See Brent 2010, 250–327 for Cyprian's attitudes towards traditors and rebaptism. For the Donatist view see Augustine, *C. Ep. Parm.* 3.4.20. For the claims to the authority of Cyprian by both Donatists and Catholics see Partout Burns 2002, 166–74.

13 Dearn 2007, 128.

14 Tilley 1997a; Tilley 1997b.

15 Gaumer 2008.

16 Augustine, *C. Litt. Petil.* 2.92.202. See also *C. Gaud.* 2.13. Dearn 2007, 129.

also produced an impressively long list of monarchs from the Scriptures who had been hostile to the Christians. This list extended to the persecutions that the Donatists had suffered under recent emperors.¹⁷ For the emperors after the tetrarchs, the Donatist bishop diplomatically ascribed any outrage against his church to imperial officials who had themselves been tricked by the false prophets, the Catholics.¹⁸ Although the work has not survived, Augustine's close critique reveals Petilian's extensive mining of the Bible to support his points. The church, like the world, was split between the people of Christ and the people of the Devil, descendants of Cain and Abel, who were locked in perpetual conflict. Catholic mendacity was illustrated by Matthew 7.15–6 (false prophets) and 2 Corinthians 11: 14–5 (the devil disguising himself as the angel of light).¹⁹ These Scripture-proven claims to purity and the sacred inheritance of the glorious martyrs not only reified the difference between the Donatists and their enemies but also acted as powerful agents of internal cohesion within the Donatist community.

More generally, the Donatist textual community put strong emphasis on the scriptures as the key to understanding the world and church. The celebrated Donatist layman scholar Tyconius, in his only extant work, the 'Book of Rules', made the case for the centrality of the Bible to human existence particularly eloquently. In his work Tyconius established a hugely influential system of typological exegeses designed to examine the relevancy of biblical prophecy for the Christian church in North Africa.²⁰ The Bible, for Tyconius, was an 'immense forest of prophecy' which his seven rules would help the reader to walk through so that they could live by the precepts of the Book.²¹

Intensive mining of biblical themes is also found in surviving Donatist pastoral works. *De singularitate clericorum*, a letter written around 350 by the Donatist bishop of Rome, Macrobius, warned clergy against spiritual marriage, an arrangement whereby male and female celibates shared the same household. Liberal slabs of the Old and New Testament, particularly the Book of Proverbs and Paul's Letters to the Corinthians, bolstered Macrobius's advice. As Tilley has observed 'for even the most

17 Augustine, *C. Litt. Petil.* 2.92.202.

18 Augustine, *C. Litt. Petil.* 2. 16.36; 2.18.40. Dearn 2007, 129–30.

19 Augustine, *C. Litt. Petil.* 2.92.202. Similar use of the Bible is made in the Donatist Sermon 39 from the so-called Escorial collection in order to urge total separation from the Catholic persecutors (PLS 708–10).

20 Gennadius, *De Viris Inlust.* 18.

21 Bright 1988, 8–9; Tilley 1997b, 112–28.

sophisticated Donatist, there was no more powerful warrant for any action than the command of Scripture, and no other one necessary'.²²

The *Liber Genealogus*

The self-identification of the Donatists as the people of the Bible fated to suffer persecution at the hands of the godless was also transmitted through a range of other literary genres. The *Liber genealogus*, an anonymous multi-authored Donatist interpretation of biblical and early Christian history in the form of a list of biblical genealogies, presents what one commentator has described as 'a vision of history as consisting in constant strife between the people of God and God's enemies'.²³ Thought to have been first written some time after 405, with additions in the years 427, 438, 455, 463 and possibly 470, the short entries of the *Liber* detailed people and events in chronological order from Adam and Eve to contemporary events.

With the persecution of the people of God as its organising theme, the work's Donatist flavour is easy to discern. The lineage of persecutors and persecuted was traced back to Cain and Abel respectively. The accusation of *traditio* was levelled against prominent African ecclesiastical figures during the Great Persecution, including Mensurius of Carthage and his successor Caecilian, whilst the emperor Honorius' severe legislation against the 'Christians' in 405 was also mentioned.²⁴ In this work, the catastrophic invasion of North Africa by the Vandals was treated as just another episode in the battle between the true Christians and their enemies in which the Vandal king was characterised as the Antichrist. The authors of the *Liber genealogus* were clearly well versed in a wide range of religious and chronological works that included the *Chronicle* of Hippolytus, a recension of Victorinus' *Commentary on Revelation* and the *Chronology* of Julius Quintus Hilarianus, but this knowledge always played a supporting role to biblical truth.

22 Tilley 1997b, 82–6. Quote = Tilley 1997b, 85. One finds a similar single-minded insistence on the Bible as the sole guide for everyday life in another anonymous Donatist homily, *Sermo in Natali Sanctorum Innocentium*, which has been dated to roughly the same period (Tilley 1997b, 86–9).

23 *Liber genealogus* 154–96. For recent discussion of the text see Dearn 2007, 130–4. Inglebert 1996, 599–602. For the classic study of the work see Monceaux 1901–23, 6, 249–58. I have followed Inglebert's dating sequence.

24 *Liber genealogus* 626–7.

Preaching and Singing

An important recent study by Lesley Dossey has highlighted the strength of Christian textual communities and the sheer range of clerical communication through episcopal letters, sermons and letters in late antique rural North Africa.²⁵ Like their Catholic counterparts, the Donatist bishops used letters to exhort their congregations on ecclesiastical matters such as their relations with their bishops and clergy.²⁶ Preaching was also an activity in which rural bishops were heavily involved, often concentrating on developing a clear, simple style replete with agricultural metaphors.²⁷ Homilies were clearly a powerful medium for reinforcing the sectarian divide in communities where Donatists and Catholics lived cheek by jowl. In order to demonise the Catholics as liars and persecutors, preachers used simple biblical exegeses. The sermon on the Passion of Saints Donatus and Advocatus, dating from the period of the first period of persecution of the Donatists, made it clear that it was often those closest to home that offered the most potent threat: 'Instruction is especially needed when there is no hostility professed on an issue because it is easy for a hostile society to mislead those that are closest. "And one's enemies," it (the Bible) says, "will be members of one's own household"' (Matt 10.36).²⁸

The reach of these works may be usefully compared to the works produced by the rival Catholic community. Augustine certainly appears to have encouraged the recycling of his own sermons:

25 Dossey 2010, 147–72.

26 E.g. the letter of the Donatist bishop of Limata, to the clergy of Cirta on their relationship with their own bishop which was collected in the *Gesta apud Zenophilum* or Macrobius, Donatist bishop of Rome, to one of his clergy on the question of celibacy in *De singularitate clericorum* 1.

27 Dossey 2010, 154–5. Augustine's own anti-Donatist sermons were written in a far more pastoral than theological vein. He worked hard to combat his congregations' fear of losing salvation and their contamination by the sins of others – two ideas that were at the forefront of Donatist preaching. Augustine also continually emphasised two important points: firstly the universality of the church and the sin of undermining ecclesiastical unity, and secondly the reality of a temporal church where the righteous and the sinners live side by side. Augustine made very little attempt, in only five of around 40 sermons, to challenge the Donatist theology of martyrdom (see Tholen 2010).

28 'Magis enim necessaria instructio illic est, ubi professa hostilitas non est, quia hostilis societas ad decipiendum facilis et proxima est et inimici, inquit, homini domestici eius.' (Sermon on the Passion of Saints Donatus and Advocatus 1.

there are people who are good speakers but are not able to compose a sermon. If they use ideas of others that are written intelligently and eloquently, commit them to memory and deliver them to the people, they are doing nothing criminal. In this way for example many persons – and that is very useful – learn to be preachers of the truth.²⁹

The recent identification of a dossier of texts as a package of preaching aids for Donatist bishops and clergy has shed some light on such activity and how ideas were spread amongst Donatist congregations. The dossier appears to have been first collected together sometime after 365, before being revised in the late fourth century and completed sometime around 427, roughly concurrent with the *Liber genealogus*. It contains a wide variety of reference texts that would have been of great use to those preparing homilies. One of the earliest additions was a copy of the *Liber generationis*, an earlier work translated from Greek; a bible study handbook that contained a biblical chronology and geographical information; and lists of Israelite judges, kings of Persia, Samaria and Alexandria, the Roman emperors and the bishops of Rome. The dossier also contained stichometric lists of the books of the Old and New Testaments, which were perhaps produced as a reference to check the completeness of the Scriptures used by different Donatist communities. There was also a stichometry of Cyprian's works that highlighted the martyred bishop's important reputation within the Donatist community. In its later manifestation the dossier also included a wide variety of biblical aids, including an anthology of prophecies from the Old and New Testament, a list of miracles from Elijah and Elisha, an inventory of people of the same name who appear in the Old and New Testaments and five lists of interpretations of Hebrew names. This probable 'exegete's tool kit' suggests a well-organised community with a strong sense of its own textual integrity, and one that was willing to invest significantly in safeguarding that integrity.³⁰

Both Donatists and Catholic bishops were also involved in the writing of partisan psalms to galvanise their congregations.³¹ An anonymous

29 'Sunt sane quidam qui bene pronuntiare possunt, quid autem pronuntient excogitare non possunt. Quod si ab aliis sumant eloquenter sapienterque conscriptum memoriaeque commendat atque id ad populum proferant; si eam personam gerunt, non improbe faciunt. Etiam sic enim, quod profecto utile est, multi praedicatores veritatis fiunt ...' (Augustine, *De Doc. Christ.* 4.29.62); Dossey 2010, 170–1.

30 Rouse & McNelis 2000, 207–26.

31 Augustine mocked the Donatists for singing psalms which referred to the whole world praising God when their own actions contradicted such sentiments. (*En. in Ps.*

Catholic tract claimed that the Donatist leader Parmenian ‘wrote treatises against us and composed new psalms, with which he went round all of Africa’.³² As Shaw has observed, ‘The hymns song in church, the psalms that were chanted or sung as a regular part of the liturgy, were an important part of this engagement. The songs were one of the main repetitive actions that large numbers of ordinary parishioners had in common with their clergy.’ This singing and chanting not only promoted group solidarity but also acted as effective vehicles for the vilification of one’s enemies.³³

The Testimony of the Martyrs

However, the most powerful and emotive textual emblems of the Donatist community were the Acts and Passions of the Martyrs. Older martyr stories that were revered by both communities often appear to have been subtly adapted to give them a Donatist identity. Thus, in the Passion of Cyprian, after the judge’s pronouncement, Cyprian exclaimed *Deo Laudes* in the Donatist account, whereas in all other accounts it was *Deo Gratias*.³⁴ The *Passion of Maxima and Donatilla*, the tale of two sisters martyred after refusing to sacrifice during the Great Persecution, appears to have been merged with another story of a twelve-year-old girl, Secunda, from a wealthy family who was said to have leapt from her window to join the sisters in martyrdom. Scholars have been unsure of whether this was a Donatist tale that had been doctored by the Catholics or a Catholic one changed by a Donatist. Although it would be dangerous to identify a Donatist suicidal trait, it is clear that these stories were added to and embellished.³⁵ The possibility of martyr texts being amended to serve the interests of either community was expressly recognised at the

95.11). See also Augustine *Ep.* 55.18. For Augustine’s own *Ps. contra Part. Donat.* see Shaw 2011, 475–89.

32 ‘Parmenianos a Parmeniano, qui per totam Africam libros contra nos conficiens et novos psalmos faciens circumibat, contra quem noster scripsit Optatus’. Arnobius *Iunior-Praedestinatus*, 1.44.

33 Shaw 2011, 441–89. On Augustine’s psalm also see Hunink 2011.

34 Tilley 1996, 2. Dearn, this volume, 75–6, however, is sceptical of this analysis. On the slogan *Deo Laudes* and the Donatists Shaw 2011, 469–71, although see Dearn, who argues that it was not an exclusively Donatist term.

35 Tilley 1996, 14; Dearn 2006, 29–30.

end of *The Acts of the Abitinian Martyrs*, another martyr text of which several versions exist, with the addition of the curse quote taken from the Book of Revelation:³⁶ ‘Whoever adds the smallest part of a letter or a letter to this book, the Lord will add to that person innumerable plagues; and whoever deletes, the Lord will delete that person’s share from the book of life.’³⁷

These texts were more than merely an exercise in raking over past grievances. The use of sanction and violence against the Donatists by imperial authorities during the renewed persecution that broke out in 347 created a religiously charged atmosphere in which new Donatist martyrs could be created and promoted. Like the old martyr stories, new texts aimed to galvanise the Donatist community.³⁸ William Frend was surely right when he argued “‘The days of Macarius”, the *tempora Macariana*, left as deep a mark on the mind of the Donatist Numidians as did the Great Persecution’.³⁹

Accounts of recent unequivocally Donatist martyrs such as the *Passion of Maximian and Isaac* and the *Martyrdom of Marculus* were clearly going to arouse strongly partisan emotions amongst the Donatist community, emotions that could be further fuelled by the physical setting of the texts’ public reading.⁴⁰ Early Christian churches often contained writings, both inscriptions and graffiti, that were important markers of the community which worshipped in them. At the Numidian rural settlement of Aïn Ghorab, on the plains south-west of Tebessa, the architectural remains of a number of churches littered the site when first discovered by French colonial-era excavators. Many of these architectural pieces were covered in writing, including a lintel commemorating the *memoriae* of the blessed martyr and ‘lawyer of God’ Emeritus, one of the martyrs of Abitina

36 The work is generally known in Latin as *Passio Datui, Saturnini presbyteri et aliorum*. See Tilley 1996, 26–7 on the different versions of *The Acts of the Abitinian Martyrs*, although it is perhaps more difficult to identify ‘Catholic’ and ‘Donatist’ renderings of the story than Tilley suggests.

37 ‘et hanc sententiam suam sancti Spiritus auctoritate conscriptam tali comparatione firmabant. Scriptum est, inquit, in Apocalypsi: Quicumque adiecerit ad librum istum apicem unum aut litteram unam, adiciat illi Deus innumerabiles plagas; ut quicumque deleverit, deleat partem ejus Dominis de libro vitae’ (*Passio Datui, Saturnini presbyteri et aliorum*, 18).

38 Shaw 2011, 162–94; Tilley 1997b, 69–76; Frend 1952, 177–87.

39 Frend 1952, 185. Shaw (2011, 162) actually refers to it as ‘the Great Persecution’.

40 For evidence of passions being read out *Passio Marculi* 1.

martyred in Carthage in 304 and held dear by the Donatists; a building inscription put up by a priest Optatus; a building dedication to a Saint Casta; a later fifth-century dedicatory inscription to the apostles carved onto the actual keystones for the arches that held up the roof.⁴¹ The initial excavators also found graffiti or rough inscriptions carrying the celebrated Donatist exhortation of *Deo Laudes*.⁴² Although it is impossible to know at present whether Aïn Ghorab was the site of a Donatist church or churches, what these inscribed pieces of masonry do show is that these buildings were an important part of local Christian textual communities.

The most striking example of the collaboration between these martyr texts and their physical staging can be found at a basilica at Vegesela in southern Numidia.⁴³ Located in the south-eastern extremity of the church was an intricately decorated installation one side of which would have been open to the congregation. An inscription on a decorative plaque identified the installation as MEMORIA DOMNI MARCHULI.⁴⁴ Although it cannot be conclusively proved, the weight of evidence strongly suggests that this was a memorial to Marculus, a leading Donatist bishop who was arrested and tortured with nine episcopal colleagues by an imperial envoy in 348 at Vegesela.⁴⁵ The church's excavators also uncovered evidence of a further nine burials which might have housed the remains of the other

41 Leschi 1936, 31–5. The inscriptions:

Dedicatory Inscription = Y. Duval 1982, 1, 146–8; Leschi.

Optatus = Leschi 1936, 31–2.

Emeritus = (cross)H(i)c domus D(e)i nos[tri Christi, h]ic avitatio Sp(iritu)s
S(an)c(t)I P(aracleti??)

(cross) H(i)c memoria beati martiris Dei consui [E]mer[iti]

(cross) H(i)c exaudietur omnis q(u)i invocat nomen D(omi)ne D(e)i
omnipot[entis]

cur homo miraris? D(e)o iubante meliora videvis A...XL (or I)

(Y. Duval 1982, 1, 151–4)

Casta = Duval, 1982, 149–50.

42 Leschi 1936, 34–5.

43 Y. Duval 1982, 1, 158–60.

44 Cayrel 1934; Courcelle 1936.

45 For Marculus see Shaw 2011, 178–83. There has been much debate over whether the Marculus mentioned in the inscription is the Donatist martyr of the *Passio Marculi*. It is certainly the case that there is no conclusive evidence that they are the same Marculus (Y. Duval 1982, 1, 160; Michel 2005, 102–4). However, the weight of evidence does, in my opinion, strongly suggest that the memoria in the Ksar-el-Kelb basilica was that of the Donatist martyr. For further discussion see Anna Leone's chapter in this volume (333–6).

nine Donatist bishops who were detained with Marculus.⁴⁶ The basilica appears to have been built in the late fourth century with the memoria being subsequently added, perhaps specifically for the deposition of the relics of this high-profile recent Donatist martyr.⁴⁷ What the excavation reports of Cayrel and subsequently Courcelle make clear is how this text was skilfully utilised not only to enhance the dramatic impact of the basilica for those who entered it but also to reinforce the sense of a specific religious communal identity. An inscription on the vault over the apse of the church proclaimed DEO LAUDES H[IC] OMNE DICAMU(S), a slogan heavily (if not exclusively) associated with the Donatist cause. As Shaw has pointed out: ‘The additional words unusually appended to the core cry of “Praise to the Lord” have emphatic meaning. *Here* we shall all say “Praise to the Lord,” where the “here” and the “all of us” distinguish the congregation from “others” who are not “us” and are not “in this place”.’⁴⁸

Another inscription quoted Psalm 131:18 DE DONO/[DEI] INIMICIS/[CONF]USIONEM/[FE]CIT. These slogans skillfully conjured up the self-reinforcing image of a group secure in the knowledge that they were God’s chosen people and that their self-sacrifice would throw their enemies into disarray. Other writing inscribed on the stone of the building appealed to other, less dramatic but equally powerful bonds that tied together the religious community which gathered in the church. Finely inscribed on the stone beam of a door decorated with a large Constantinian monogram, which Cayral tentatively placed between the small pillars that delineated the entrance to the choir, were DOMUS DEI (at the top) and AULA PACIS (at the bottom).⁴⁹ *Domus dei*, although used to denote churches across Christian North Africa, has been most commonly found on inscriptions in the area of south-eastern Numidia around Vegesela.⁵⁰ Similarly, the use of *aula*, most commonly found in Christian poetic verse

46 Courcelle 1936, 183 n. 1. For burials Courcelle 1936, 174, 167 fig. 1.

47 Cayrel 1934, 140. Dalvit (2013, 70ff) has argued that the memorial room might have been created after the Catholics had taken over the church in order to marginalise the shrine.

48 Shaw 2011, 183.

49 Cayrel 1934, 124, 129.

50 Particularly in the region around Khenchela and Aïn Beïda, see Cayrel 1934, 129–30.

but very rarely in North African ecclesiastical inscriptions, is also limited to the immediate area around Vegesela.⁵¹

Diverse Textual Communities?

Despite the unifying themes and emphases in Donatist texts, there were also marked differences in approach and style. Augustine presented the Donatist church as a hotbed of factionalism riven by its own schisms, but in a more positive sense it is also clear that this was a textual community that contained diverse viewpoints and a tradition of vigorous internal discussion.⁵² In particular, the 370s and 380s, a period of renewed confidence and growth for the Donatist church under a more tolerant imperial regime, prompted the theologians Tyconius and Parmenian to challenge established Donatist ecclesiology by emphasising inclusion and rebaptism. This picture of a textual community made up of diverse elements is further evidenced by Parmenian's vigorous and public disagreement with some of Tyconius' views.⁵³

In terms of style, Donatists writers also appear to have covered a broad spectrum and catered for a wide variety of different audiences. For example, the letter of the Donatist grammarian, Cresconius, that sought to defend Parmenian, the bishop of Carthage, from Augustine's attack, with its use of biblical, historical and dialectic argument and eloquent style (a fact even recognised by Augustine himself), appears to have been aimed at a highly educated lay audience. Augustine's vitriolic and lengthy response probably attests to the success of Cresconius' letter.⁵⁴

Going Through the Records

Both Donatist and Catholic textual communities were not solely made up of religious tracts; legal texts, in particular, also played a key role in the

51 See Bigeard 1907, 19 for the church dedication from Henchir Oumkif near Khenchela where the expression AULA SANCTIS is used.

52 For an account of the Maximianist schism see Frend 1952, 213–24.

53 On Tyconius and Parmenian see Tilley 1997b, 93–129.

54 Monceaux 1922, 106; Finnaert and De Veer 1968, 24–7 and 43–8. Augustine on Cresconius' eloquence – *C. Cresc.* 2.3.

controversy. The fog of forensic litigation around the Donatist Controversy was a result of the practice of Christian disputes being initially the preserve of municipal governments and local town courts. Recourse to the legal apparatus of the Roman Empire understandably led to both Donatists and Catholics readily turning to the courts to resolve their differences. Because the initial dispute at the beginning of the schism had involved judicial proceedings, the Donatist controversy had a particularly forensic hue from the start, with each side often using professional advocates to plead their cases. The legal cases that Donatists and Catholics pursued against one another added to the ever-growing dossiers of 'evidence', made up of verbatim extracts from court proceedings, conciliar *acta* and imperial correspondence, that each claimed proved the rectitude of their respective claims. Both Donatists and Catholics extracted what they considered to be key supporting evidence such as the *Gesta apud Zenophilum*, the minutes of a hearing before an imperial official, Zenophilus, at Carthage in 320. The inquiry had taken place in order to establish whether Silvanus, the Donatist bishop of Cirta, had been a *traditor* who had handed over the scriptures and other church property to Roman officials, and also if he had wrongly appropriated church funds. Silvanus was one of the godfathers of the Donatist schism by dint of having consecrated Majorinus, one of its original protagonists and Caecilian's rival, for the see of Carthage.⁵⁵ The dossier included the court transcript minus the actual verdict and five letters from various North African bishops produced as evidence against Silvanus. The text also incorporated an earlier transcript dated from 303, the *Acta* of Munatius Felix from Cirta in Numidia, setting out official confiscations of goods and literature from a church in Cirta.⁵⁶

Many of the leading Donatist and Catholic bishops were skilled lawyers and rhetoricians with considerable forensic experience and expertise.⁵⁷ At the Conference of Carthage both sides had seasoned and skilled advocates on their front bench teams.⁵⁸ In particular, the interventions of Augustine and Petilian, who had been a lawyer, often involved the complex forensic scrutiny of a wide range of documents.⁵⁹

55 See Y. Duval 2000, 13–209; Tilley 1997b, 78–82.

56 *Gesta apud Zenophilum* 2–4; Edwards 1997, 154.

57 Humfress 2007, 187. More generally on the importance of Classical *eloquentia* and rhetoric amongst the late Roman Christian elite see Kaster 1988; Brown 1992.

58 Humfress 2007, 188–9.

59 Humfress 2007, 264–7.

The Donatists had themselves used the courts to attempt to pressure breakaway members of their own community. The transcript of the Council of Bagai held in 394, in which the dissident deacon Maximian and his closest supporters were excommunicated, was used by Donatist lawyers in conjunction with specific imperial laws against heretics to lobby municipal councils and proconsular officials to find against the Maximianists.⁶⁰ Similarly, from 404, when it seemed that they had unequivocally won imperial support for their position, the Catholics devoted their efforts to appealing to a variety of provincial and imperial courts and negotiating with administrators to have legislation imposed but the punishments often lessened or waived.⁶¹

Constant engagement and recourse to secular authority by both Donatists and Catholics had other consequences. Both sides quickly learned to appropriate the legalistic language of government and the courts to lend themselves an air of legitimacy. Nor was it just the educated urban-based ecclesiastical elites who claimed this legalistic mantle. As Dossey has recently observed, the forensic habit had spread far into the North African countryside; even Axido and Fasir, the supposedly thuggish leaders of the *agonistici*, held quasi-judicial proceedings and recorded their commands by the creation of documents.⁶²

Effective communication and lobbying had a major impact on the warring parties' ability to mobilise support effectively from the imperial and provincial authorities, churches and influential theologians outside of North Africa, and to bolster the cohesiveness and resistance of their own communities. The success of the Catholics in claiming the mantle of Catholicism for themselves and ensuring that the Donatist label stuck on their opponents was partly due to the effectiveness of their lobbying and propaganda campaign.⁶³ As Brent Shaw has recently shown, the

60 Augustine (*C. Litt. Petil.* 2.58.132 and *Enarr. in Ps.* 57.15) states that the proceedings of the Council of Bagai were inserted into municipal and proconsular *acta*, showing that the Donatists did present their case to local and then provincial officials. When asked for evidence, the Donatists produced the transcript of the Conference of Bagai and read out the decree of the bishops condemning Maximian. (Augustine, *Enarr. in Ps.* 36.2.19–20). See Hermanowicz 2008, 126–9 for an account of the Donatists' legal manoeuvres against the Maximianists.

61 Hermanowicz 2008, 132–55.

62 Optatus *De Schism. Donat.* 3.4; Dossey 2010, 179.

63 For the imposition of the Donatist moniker see Shaw 1995. Pelttari 2009 suggests that the Donatists often defined themselves as the Church of the truth.

painstaking collection of sworn affidavits by Augustine, Possidius and their Catholic colleagues which documented alleged cases of Donatist violence and lawlessness, and their collation into a dossier that could be taken to the imperial court at Ravenna, played a decisive role in alarming the authorities sufficiently to goad them into action.⁶⁴ In 407 Augustine also produced a volume, *Probationum et testimoniorum contra Donatistas*, a collection of what he considered ‘necessary proofs’ from the ecclesiastical and public records as well as the Scriptures, which he then offered to send to Donatists.⁶⁵

Such was each side’s encyclopaedic knowledge of the legal twists and turns connected with the schism that even those who had been sent by the emperor to adjudicate the matter could find themselves being corrected in court. At the 411 conference the judge Marcellinus made the claim that both sides had requested that the meeting take place. The Donatists spokesman’s reply, however, was emphatic:

It is this that we wanted here declared before the tribunal, if they (the Catholics) insinuated to the emperor that we presented ourselves voluntarily before the praetorian prefect or more so that we asked for a debate. If this is in fact what you said, I am able to refute you before the tribunal on the basis of the text of the *Gesta* (of 406CE which recorded a meeting between a Donatist embassy and the Praetorian Prefect).⁶⁶

Augustine and the Assault on the Donatist Textual Community

It is difficult to overestimate the galvanising impact that Augustine of Hippo had on the Donatist Controversy. The situation that existed when Augustine first entered the priesthood and subsequently became bishop of Hippo Regius was one of sectarian deadlock. By the time of his death in 430, the Donatist church had in effect been broken as a major ecclesiastical force for over a decade.

64 Shaw 2011, 520–43.

65 *Retract.* 2. 53.

66 ‘Hoc est quod volebamus in iudicio prodi, utrum imperialibus auribus intimarint nos in iudicio praefecturae vel voluntarios adstittisse, vel quaesisse conflictum. Si enim ista dixisses, possem te digestorum fide in iudicio confutare. Si autem non dixisses, intellegatis qui cognitor datus est de omnibus se imperatoriae notioni referre oportere’ (*Gesta Coll. Carth.* 3, 129).

The Catholics' emphatic victory was largely down to Augustine's success in snatching the agenda away from the Donatists. Critically, Augustine redefined Donatism as a body of ideas in as negative a way as possible. This strategy was aimed at ensuring the full support of the imperial and provincial authorities in the suppression of the church. Although Catholics had been accusing Donatists of associating with heretics as a speculative form of abuse since almost the start of the schism, it was Augustine and his colleagues who first managed to get the cap of heresy to fit by carefully compiling a dossier of 'Donatist' violence against law abiding 'Catholic' citizens for the imperial court.⁶⁷ Central tenets of Donatist group identity were presented in a sinister light. Augustine's consistent presentation of Donatist martyrdom as a symptom of lawlessness carried out by a group who wantonly sought out voluntary martyrdom or suicide was an important step in creating a distinctive and negative Donatist identity.⁶⁸ On 12 February 405 Honorius passed an edict using Augustine's arguments that legally defined Donatism as a heresy for the first time.⁶⁹ Shaw has wryly observed, regarding the success of the Ravenna dossier: 'in drafting legislation that sought to regulate the behavior of undesirable religious groups, the court was dependent on the Catholic church to define and to name them'.⁷⁰ Even the label 'Donatist' is evidence of Catholic determination to prevent their rivals from defining themselves on their own terms.⁷¹

67 Shaw 2011, 323–6. For Donatist accusations that Catholics were heretics see Optatus, *De Schism. Donat.* 1.10.4–11.2.

68 Augustine, *C. Gaud.* 1, 22. 25; 1.28.32. For the metaphorical imagery of the Donatists as wild, dangerous animals see Shaw 2011, 332–9. Optatus also strongly associated the Donatist cause with the Circumcillions whose *modus operandi* often revolved around violence inflicted on others or suicide (Optatus, *De Schism. Donat.* 3.4).

69 *CTh* 16.6.4. For Augustine's arguments that the Donatists were heretics see *C. Litt. Petil.* 2.94.217; *C. Cresc.* 2.7.9.

70 Quote = Shaw 2011, 277. On the campaign by Augustine, Possidius and other Catholic bishops to have the Donatists condemned as heretics see Hermanowicz 2008, 97–132; Shaw 2011, 276–9.

71 E.g. Augustine, *Ps. contra Part. Donat.* 275–80.

Breaking the Sectarian Deadlock

Sectarianism is essentially a conservative, passive aggressive, highly ritualised code of community behaviour.⁷² The situation in North Africa in the 390s certainly conformed to that model. When Augustine first arrived in Hippo Regius in the early 390s he found that the local Donatist bishop had banned Donatist bakers in the town from selling bread to Catholics.⁷³ Interaction between the ecclesiastical leadership of the two factions at both local and provincial levels had become increasingly entrenched and formulaic and aimed far more towards appeasing the home team rather than attempting to break the deadlock.

Forensic, legal and ecclesiological argument was bundled together with biblical quotations. When charges of heresy were laid against Crispinus of Calama, charges that would eventually lay the precedent for all Donatists being subject to the stringent imperial laws on heresy, Augustine proclaimed that the Donatists were facing judgement under both the prophetic truth of the Scriptures and Roman imperial law.⁷⁴

The decades of grinding litigation and debate, claim and counter-claim had made both Catholics and Donatists as familiar with each other's dossiers of evidence as they were with their own. In a letter to Emeritus, a leading Mauretanian Donatist bishop, Augustine issued the following challenge: 'Whether what you say is true is another question, while we show your 'facts' to be false through far more authoritative documents and we say that it is proven even better by your own documents, with regards to the charges that you level against us.'⁷⁵

These legal documents and dossiers were far more than mere bodies of evidence with which to win a case. As the Donatist Controversy dragged on and increasingly became an argument about the African church's recent history, these texts took on an increasingly ritualised and quasi-canonical

72 For a pertinent comparative perspective on Christian sectarianism in early modern Ireland see Ford 2005; Downey 2005.

73 Augustine, *C. Litt. Petil.* 2.184.

74 'Neque enim aliter innotesceret, quid adiutorio Christi Ecclesia catholica in suos inimicos posset et nollet, non secundum haereticam praesumptionem privato furore Circumcellionibus saevientibus, sed secundum propheticam veritatem iugo Domini Dei subditis regibus' (*C. Cresc.* 3.47).

75 'Alia enim quaestio est, utrum illa vera dicatis, quae quidem nos multo probabilioribus documentis falsa esse convincimus, et in vestris magis ea ipsa quae obicitis, tunc probata declaramus' (Augustine *Ep.* 87.2). See also *Ep.* 51.2.

quality on both sides of the debate. One gets a strong whiff of this sectarian complacency in a text written either by Augustine or by one of his protégées after hearing that a Donatist bishop had been preaching in Hippo on the topic of Noah's Ark. The preacher had in particular focused on how the vessel had been caulked with pitch on the inside and the outside to seal it from within and without, an obvious metaphor for the Donatist belief that baptism could not be given or recognised from the outside. The wry but insightful observation from the Catholic commentator was that: 'One would suspect that when he (the preacher) said this, there was a lot of applause from those who loved hearing it without reflecting very well on what they had come to understand.'⁷⁶

On a local level a tradition of some communication between Catholic and Donatist bishops seems to have been continued. However, Donatist bishops around Hippo Regius seem to have quickly learnt to avoid the young Catholic bishop. It was not just Augustine's fierce forensic intelligence but also his insistence on having any public meetings copied down by stenographers that marked him out.⁷⁷

In his collected correspondence there are numerous instances of Augustine attempting to pressure Donatist bishops into public debates that were taken down by scribes. In one letter Augustine described a meeting he had with the Donatist bishop of Tubursicum. Although a good crowd had gathered, Augustine's primary concern was to have a true transcript of the meeting prepared. Eventually the reluctant Donatists agreed, but their stenographers still refused to copy down the whole proceedings. Some of Augustine's companions attempted to keep a record, but were eventually thwarted by interruptions and the speed of some of the argument.⁷⁸

Donatist bishops appear to have been much more concerned about the creation of these new public texts that might be added as damaging evidence to their opponents' dossiers than the risk of humiliation at the public debates. One potential cause for alarm was the possibility of incriminating oneself and one's church at a time when the Donatist could not rely on a sympathetic hearing from the imperial authorities. Donatist reticence around public transcription must also have been connected to fears about losing control over the debate and its transmission, and more generally their own textual community.

76 Augustine, *Ep. ad Cath.* 5.9.

77 Augustine had his own copyists on his staff (*Ep.* 20. 5).

78 Augustine, *Ep.* 44. 2.

Augustine was also extremely anxious to gain possession of as many Donatist documents as possible. For instance, Augustine accessed the transcripts of the rival Maximianist and Donatist councils of Cebarussa and Bagaï, which he then used extensively to expose Donatist hypocrisy on the questions of state persecution and rebaptism.⁷⁹ At the public meeting at Tubursicum in 397 Fortunius, the aged Donatist bishop of the town, had attempted to show that the Donatists were in communion with the worldwide church by presenting a document from the council of Sardica showing that the bishops assembled there had sent a copy of their synodal letter to Donatus. However, Augustine soon realised that this document would be useful for his own case, as it was an Arian council. Augustine asked to take the book away with him and when this was refused asked to take notes, a request that was also turned down.⁸⁰

Writing and the Control of the Spoken Word

The use of texts to try to control dialectic debate in the early Christian community has been widely recognised by scholars. In the production and reinterpretation of an ever-increasing number of texts, Christian leaders sought to emphasise not only the central tenets of their faith but also the terms of membership of the Christian community. Such attitudes meant that the Christian church placed a special premium on the written word – ‘that religious texts mattered’.⁸¹ The growth of authoritarian patterns of social relationship in the late third century and the political concerns of the first Christian emperor, Constantine, corresponded with an increase in reliance on textual authority in debates at the expense of open public debate.⁸² New ecclesiastical elites, trained in the rhetorical schools and the bureaucratic militias of the empire, brought with them an acute sense of how consensus relied on the careful repackaging and dissemination of information. The written word could be used to mediate and even control the spoken.⁸³

The blurred boundary between the spoken and written word was a key feature of early Christian textual communities. Augustine’s sermons

79 *C. Cresc.* 4.5.

80 Augustine, *Ep.* 44. 7.

81 Cameron 1991, 110.

82 Lim 1995, 24–30; Cameron 1991, 169–70.

83 Lim 1995, 29.

were written down and circulated on an *ad hoc* basis.⁸⁴ Some scholars, struck by the untypical baldness of his prose, have argued that Augustine's words must have been reduced to their bare bones by their stenographers.⁸⁵ However, Augustine's popular sermons used a much plainer style of Latin, *sermo humilis*, with shorter sentences and less complex syntax, word order and vocabulary. Stylistically they contained many characteristics of speech, such as repetition and improvisation.⁸⁶ Moreover, comments can be found in the text referring to the congregation cheering when Augustine quoted particular passages from the Scriptures or when he encouraged those listening to pay close attention.⁸⁷ It has been argued that this is good evidence of Augustine's preaching containing a fair amount of 'off-the-cuff' material that the stenographers copied down verbatim.⁸⁸ However, it also points to a sophisticated understanding and manipulation of the malleable boundary between oral and written communication. This is particularly apparent in sermons where Augustine created the appearance of an actual spoken dialogue with his Donatist opponents:

You say to me 'You're a traitor!' I say to you: 'You're a liar!' You'll never ever prove that I am a traitor. But right here, right now, I'll show that you're lying from your own words! You said that we sharpened our swords? I read out the records of your own Circumcellions ... 'We only preach the gospel,' you say. I quote the many judicial decisions you've used to persecute your dissidents. I read aloud your appeals to that apostate emperor.⁸⁹

Augustine's understanding of the power of text to control and give authority to the spoken was also in evidence in the creation of an 'official' transcript of the church service when he handed over to his chosen successor as bishop of Hippo Regius, Eraclius. The stenographers recorded

84 Possidius, *Vita Augustini* 7. For a clear synopsis of Augustine's preparation of, and the publication of his sermons see Dupont 2013, 12–19.

85 Van De Meer 1961, 412.

86 Hunink 2011.

87 Augustine, *Serm.* 252.5.5.

88 Deferrari 1922.

89 'Tu mihi dicis: Traditor es. Ego tibi dico: Mendax es. Sed tu traditionem meam nusquam et nunquam probas: ego mendacium tuum hic in istis ipsis verbis tuis modo probo. Certe ibi dixisti, quia nos acuimus gladios nostros: recito gesta tuorum Circumcellionum ... Certe ibi dixisti: Nos sola offerimus Evangelia: recito tot iussiones iudicum, quibus a te divisos persecutus es: recito Preces ad Apostatam imperatorem, cui dixisti, quia sola iustitia apud eum habet locum'. Augustine, *Enarr. in Ps.* 36.17–18. Translation: Shaw 2011, 424.

the long series of loud acclamations by the congregation that emphasised the unanimity of the decision. In ordering the preparation of such a document Augustine was perhaps hoping to avoid the controversy that had met his own irregular consecration.⁹⁰

Letters and Control of the Textual Community

Equally significant was Augustine's use of letters as a way of communicating ideas to a much larger audience than just the addressee through presenting them as dialogues.⁹¹ Jennifer Ebbeler has shown how, once Augustine had realised that his letters were going to elicit little response from their Donatist addressees, he began to see them merely as documentary evidence for use in the law courts.⁹² Augustine was also increasingly willing to break the boundaries of time to engage in textual dialogue with his opponents by responding to the letters, even if, as in the case of Parmenian, they were dead.⁹³

Augustine also attempted to circumvent the silence that met his letters to Donatist leaders by concocting replies out of any information that he could acquire. Macrobius, Augustine's counterpart at Hippo Regius, rebaptised one of Augustine's deacons and refused to answer Augustine's letter of protest. In lieu of a proper reply Augustine manufactured a response from Macrobius made up of the Donatist bishop's utterances when the letter was being read out to him which were witnessed by Augustine's own letter-bearers.⁹⁴

Augustine also used letters as a means to expose the parochialism of the Donatist textual community. The Donatists, according to Augustine, could not claim to be the Catholic church in North Africa because they were not in communion with the wider church.⁹⁵

90 Augustine, *Ep.* 213. For an account of the ceremony and acclamation Shaw 2011, 453–5.

91 For Augustine's use of letters to correct correspondents through the exchange of letters see Ebbeler 2012, 63–99, 151–89.

92 Ebbeler 2012, 181–4.

93 Ebbeler 2012, 177–8.

94 Augustine, *Epp.* 106, 107 and 108.

95 On Augustine's broad vision of the universal Church see Markus 1970, 113; Brown 2000, 221.

The sect of the Donatists, restricted to Africa alone, is an object of scorn to the rest of the world. It does not recognise that by its sterility, which refuses to nurture the fruits of peace and charity, it has been cut off from the root of the eastern churches from which the Gospel came into Africa.⁹⁶

For Augustine, texts – in this case letters – were the physical manifestation of that communion. At one public debate he challenged his Donatist opponent to prove his claim that his church was worldwide.

I asked him whether he could produce letters of authentication, which we call ‘formatae’, anywhere he wished, and I asserted that the question could easily be settled by that proof, which was evident to all. I was ready, if he agreed, for the test of sending such letters from our churches to those which, as we read, were founded by apostolic authority in apostolic time.⁹⁷

The mud stuck. This assertion was later be accepted by Marcellinus, the imperial judge at the Council of Carthage in 411, who ruled that the faction which was in communion with churches overseas should be recognised as Catholic.⁹⁸

96 ‘pars autem Donati in solis Afris calumniatur orbi terrarum, et non considerat ea sterilitate, qua fructus pacis et caritatis afferre noluit, ab illa radice Orientalium Ecclesiarum se esse praecisam unde Evangelium in Africam venit’ (Augustine, *Ep.* 52. 2). For similar arguments used by Augustine against the Donatists see *Epp.* 66. 1, 87. 5–7 and 93. 21–5.

97 Quaerebam utrum epistolas communicatorias, quas formatas dicimus, posset quo vellem dare, et affirmabam, quod manifestum erat omnibus, hoc modo facillime illam terminari posse quaestionem. Parabam autem, ut si consentiret, ad illas ecclesias a nobis tales litterae mitterentur, quas in apostolicis auctoritatibus pariter legeremus illo iam tempore fuisse fundatas (Augustine, *Ep.* 44. 3). In fact, the Donatists were not against communication with the other Churches of the Christian world. For them, Augustine’s broad boast that the Catholicity of the Catholics was sealed by their being in communion with the rest of the Church proved nothing except that the Catholic Church was in communion with the wrong group in North Africa, a state of affairs which would be rectified once the validity of their own position became clear (Tilley 1991, 17; Eno 1972, 46–50).

98 *Gesta Coll. Carth.* 3.92–103.

The 411 Conference and the Creation of a Catholic Textual Community

The 411 conference has to be viewed within the context of the verdict being a foregone conclusion. Both the Donatists and the Catholic bishops who attended knew that the judge, Marcellinus, would rule that the latter party was the true Catholic church of Africa. It was the inevitable end of a process that had started over six years previously.⁹⁹ The calculation in the Donatist camp, which had long experience of the capriciousness of imperial religious policy, appears to have been that, although a major reverse, the conference did not mark the end of their struggle. Many of the Donatist responses were clearly designed with a view to re-examination and renewed legal action at a later date.¹⁰⁰ For instance, they vehemently denied Marcellinus' statement that both sides had requested the conference.¹⁰¹ They were also insistent that they should be able to see the mandate which the Catholics had sent to Honorius with the justification that they wanted no one to be able to accuse them later of remaining silent in the face of lies.¹⁰²

The Donatist's grudging acceptance of Marcellinus' publication plans did not prevent them using pithy, quote-worthy statements that were designed for maximum effect in the conference proceedings.¹⁰³ As Thomas Graumann has argued, 'Repeatedly they (the Donatists) appear to be making statements for the record, envisaging the publication of the *gesta* and addressing through them a wider North-African audience – and potentially a future more benevolent administration – rather than expecting much immediate effect with their opponents or the chairman of the meeting.'¹⁰⁴ On the synodal letter presented on the third day of the conference the Donatists represented themselves as 'of the Catholic faith which does not commit but suffers persecution'.¹⁰⁵ The effectiveness of this

99 Graumann 2011, 332–3.

100 Hermanowicz, 2008, 216.

101 *Gesta Coll. Carth.* 3.129.

102 *Gesta Coll. Carth.* 3.138; 375.

103 For the Marcellinus' publication plan and the Donatist's grudging acceptance of it see *Gesta Coll. Carth.* 1.10.61; *Gesta Coll. Carth.* 3.135.

104 Graumann 2011, 332 argues that the Donatist refusal of Marcellinus' offer that they should sit was a cleverly managed refutation of the whole proceedings.

105 *Gesta Coll. Carth.* 3.258.

strategy can be gauged by Augustine's later insistence on challenging the statement in his abridged account of the proceedings.¹⁰⁶

Petilian was also careful to switch his signature from *Recognaui* to *Petilianus episcopus recognaui*.¹⁰⁷ He also objected when it came to light that some Catholic bishops had been signed down as *episcopus ecclesiae catholicae*, whereas some of his comrades had been signed down merely as bishop or even as part of the Donatist party.¹⁰⁸

The importance of the final transcript to all parties was reflected in the elaborate system of recording and transcription which had been established to create confidence in the record. Four Donatist and four Catholic bishops were to monitor the stenographers. The speakers themselves were required to check their transcribed words and publically acknowledge their accuracy by placing their signatures after each of their entries.¹⁰⁹ This attention to detail failed to prevent much of the second day of the proceedings being halted after Donatist objections to the continuation of the debate when the transcripts from the first session were not ready in fair, readable copies.¹¹⁰

Whereas for the Donatists the conference proceedings offered opportunities to generate unanswered queries that could be exploited in later legal battles, for the Catholics it meant a document that was final and complete in every sense, a point emphasised by Augustine on the third day of the conference:

if we have lobbied for this conference, it is not to examine the charge of 'tradition' with which they reproach Caecilian and his colleagues and to put an end to it once more, but to demonstrate that it ended a long time ago, to teach

106 Augustine, *Ad Donat. post Coll.* 16.20.

107 *Gesta Coll. Carth.* 1.7, 1.9.

108 *Gesta Coll. Carth.* 3.22; 30–5; 91–5.

109 Tengström 1962; Teitler 1985, 6–13.

110 *Gesta Coll. Carth.* 1.10. Their protests are often ascribed to dilatoriness, but they were simply arguing for the proper observance of Marcellinus' second edict, which declared that each day of discussion would be followed by a day wholly dedicated to transcribing the record, which would then be examined and signed by the participants. The stenographers had not finished transcribing the events of 1 June by the morning of 3 June. They clearly wanted to carefully check it. Shorthand writers wrote down the speeches which were copied out, checked and validated before being copied into the final proceedings which were kept in the offices of the proconsul of Africa. For the arrangements for the transcription of the 411 conference see Lancel 1972–91, 346–53. Tengström 1962, 20–34 suspected that the text had been amended.

the people who are ignorant of it and shaken by the accusations, so that they know in which church they will find the way to Christian salvation.¹¹¹

Augustine was also determined that documents from earlier historic legal cases where the Donatists had lost or had been proved wrong, such as the trial proceedings of Felix of Abthungi, should be included in the main body of the text rather than as appendices. Augustine even went to the length of having the documents read out so that they would be included in the transcript.¹¹² For Augustine this document was to be a comprehensive forensic refutation of the Donatists as a discrete textual community.

The Catholic assault on the Donatist textual community started on the first day of the conference. The Donatists, understandably, wanted to explore the terms of engagement, particularly with regard to who were the plaintiffs and dependents, and access to the documents that the Catholics had presented.¹¹³ Despite the fact that Marcellinus had judged it be a case of civil law, the Donatists in particular were unhappy about dealing with a religious case in a civil court. Petilian argued: 'Now, yet, again, I am demanding that they set forth which they choose, whether they are going to deal with me in a legal case or whether they will make their argument according to divine law.'¹¹⁴

The crux of the argument centred on the admissibility of evidence. Addressing Marcellinus, Petilian outlined the issue in the clearest possible terms: 'Therefore, Noble Judge, if the course of this case has conformed to the initial dispositions, either they (the Catholics) should jettison these official papers and commence the discussion according to (divine law), or if they want to resort to these documents, they should abandon divine law.'¹¹⁵

111 'Unde nunc collationem istam poposcimus, non ut illam causam traditionis quam Caeciliano et eius collegis obiiciebant, suscipiamus denuo finiendam, sed demonstremus olim esse finitam, ut hoc cognoscentes populi qui nesciunt, et istorum adhuc criminationibus commoventur, tandem aliquando cognoscant in qua Ecclesia christianae salutis viam requirant' (*Gesta Coll. Carth.* 3.187).

112 *Gesta Coll. Carth.* 3.215. Mac Gaw 2013, 55.

113 Monceaux 1901–23, 4, 413; Markus 2003, 325; Frend 1952, 279; Lancel 1972–91, 74; Lancel 2002, 296–300 view this as timewasting on the part of the Donatists.

114 'Et nunc etiam atque etiam flagito ut promant quid eligant, utrum forensi actione mecum agant, an legali concertatione disceptent' (*Gesta Coll. Carth.* 3.149). See also Tilley 1991, 13–14.

115 'Igitur, vir nobilis, si tenor se ita habet causae sicut ab initio videtur esse formatus, aut iacturam cartularum istarum publicarum faciant, et ad legalem disceptationem veniant; aut si his rebus uti desiderant, faciant legis divinae iacturam' (*Gesta Coll. Carth.* 3.153).

Augustine, in his response, crafted a very careful distinction between the *Causa ecclesiae* and *Causa Caeciliani*: the basis for the former was the holy texts, for the latter legal documents.¹¹⁶ Augustine explained that the Catholics would be happy to have a debate according to scripture as long as the cases of individuals such as Caecilian were raised. Recent scholarship has rightly observed that, behind this exchange, lay the opposing views that the two parties held as to the nature of the church, with the Donatists regarding it a bastion of purity and the Catholics as representative of the world and therefore comprising of both sinners and saved.¹¹⁷ Maureen Tilley has also argued convincingly that the Donatists wished to place Caecilian at the centre of the debate to underline how their opponents had singularly failed to deal with sinful behaviour within their own ranks that, in turn, meant they could not be the true church.¹¹⁸

Hermanowicz has emphasised the differing attitudes towards the legal texts, with the Donatists viewing this material in terms of actual procedure, whereas the Catholics considered it as ‘a matter of historical consequence’.¹¹⁹ There was, however, another very significant undercurrent, one that had important implications for Donatism as a textual community. In establishing a clear alternative between legal documents and Scriptures Augustine was firmly taking control of the terms of textual engagement. Augustine’s position, which was confirmed by Marcellinus, also directly questioned the legitimacy of Donatism as a textual community made up of an interconnected web of scriptural, other religious, and legal material.¹²⁰

The conference of 411 represented the finale of a sustained assault on the part of Augustine on the Donatist textual community. Augustine understood that the *de facto* textual apartheid that had existed between the Catholics and Donatists could be construed as an unspoken recognition of the former as a legitimate and discrete community – in other words, a church. Augustine’s campaign to force Donatist bishops to engage in dialogue with himself and his insistence on these encounters being transcribed was about creating new texts that reflected his vision of a broad Catholic church whose purity would be guaranteed only on the

116 *Gesta Coll. Carth.* 3.55.

117 Mac Gaw 2013, 51–4.

118 Tilley 1991.

119 Hermanowicz 2008, 204. More generally on Donatist legal strategy at the conference see Hermanowicz 2008, 204–12.

120 *Gesta Coll. Carth.* 3.156.

Day of Judgement. The Donatists would not be afforded the dignity of separation but would merely join the baleful ranks of transgressors who required correction. These new transcripts and the official record of the 411 conference, therefore, were designed as a conclusive rejection of the intellectual and legal underpinnings of Donatist sectarianism.

The importance of the 411 transcript to the Catholics can be gauged by the effort that Augustine expended on its distribution and publication. As soon as Augustine had returned to Hippo Regius from the conference, he started badgering Marcellinus for a copy of the *Gesta* so that he could exploit its propagandic value.¹²¹ In sermons and letters, and at public meetings, Augustine turned back to the conference proceedings (*ut nuper in collatione nostra quod etiam in Gestis ipsis legere potestis*) to condemn the Donatists.¹²² He recommended that the minutes be read out annually in church during Lent.¹²³

Augustine appears to have sincerely believed that even the most ardent Donatist when they read the *Gesta* could not fail to see that the Donatists had been comprehensively defeated. In 416, in a letter to Donatus, a Donatist priest of Mutugenna in the diocese of Hippo who had been brought forcibly into a Catholic church and had then attempted to commit suicide by throwing himself down a well, Augustine wrote:

For this reason the mercy of God provided your bishops and us with the opportunity to meet at Carthage in such a well-attended, even crowded, conference, and of taking part in a discussion in a very orderly manner about this disagreement between us. The record of it has been written up; our signatures are in evidence. Read it or have it read to you, and then choose which side you prefer ... But read the rest of the record, read the rest of it ... Read them or have them read to you. Consider them all, examine them carefully, and choose which side you follow.¹²⁴

121 Augustine, *Ep.* 139.1. Augustine would pin his anti-Donatist works up on the walls of Donatist churches (*Retract.* 2. 53).

122 Augustine, *Serm.* 99.8.

123 Augustine, *Ep.* 28.2.

124 'Ideo praestitit misericordia Dei ut et nos et episcopi vestri tam frequenti numeroque conventu Carthaginem veniremus, atque inter nos de ipsa dissensione ordinatissime conferremus. Gesta conscripta sunt, nostrae etiam subscriptiones tenentur; lege, vel patere ut tibi legantur, et tunc elige quod volueris. ... Lege ista, vel legantur tibi. Considera omnia, retracta diligenter, et elige quid sequaris' (Augustine, *Ep.* 173.7–9 abridged). For further evidence of Augustine's promotion of the work see *Ep.* 134.4 to Apringius the proconsul of Africa and the brother of Marcellinus.

Augustine wrote his *Brevicarium* – an abridged version of the *Gesta Conlationis Carthagenensis* – as part of his campaign to publicise the 411 conference. In one letter he encouraged a rural bishop to read this summary out in churches that had recently been taken over from the Donatists. Seemingly, not just content with recommending the work, Augustine also carefully set out the optimum environment for its redaction. After the reading-out of the *Gesta* of the conference, the shorter account should then be read out – not, however, from the usual reader's position, but in a less formal setting with the congregation allowed to sit.¹²⁵

Although in his *Retractions* Augustine justified writing the *Brevicarius* on the grounds of the length of the unabridged proceedings, the work was anything but a mere shortened, simplified version of the *Gesta*.¹²⁶ Clarification of the text quickly slipped into interpretation. At important junctures the legitimate complaints of the Donatists and the pedantic interventions of the Catholics were glossed over.¹²⁷ Augustine also had no qualms about strengthening the Catholic arguments used against the Donatists at the conference,¹²⁸ and was uninhibited about including in his shortened version of the *Gesta* information that he might have discovered after the meeting of 411.¹²⁹

Ultimately, the Donatists were outmanoeuvred as a result of the Catholic determination to turn the proceedings of the 411 conference into the definitive record of the schism, one that could be used without recourse to the other myriad of documents and dossiers that were symbols of the intractable textual sectarianism that had typified the controversy.

In the years following the Conference of Carthage, Augustine and the victorious Catholic Church systematically set about the difficult task of dismantling the Donatist church. To achieve that aim a range of tough tactics was used against the Donatists, including physical coercion.¹³⁰ As part of that wider strategy, Augustine continued to try to stage public

125 Augustine, *Ep.* 28.2–3.

126 Augustine, *Retract.* 2.29.46.

127 Augustine, *Brev. Coll.* 9; *Gesta Coll. Carth.* 1.38–55 dismissing the Donatist question whether dispute should be sorted out under secular public justice or under divine law.

128 *Brev. Coll.* 3.8.10–14.

129 *Brev. Coll.* 3.17.32 on the date of the Council of Cirta; *Brev. Coll.* 3.7.9. rebutting the insinuations around his own ordinations.

130 For a justification of imperial coercion see Augustine, *Ep.* 93; *C. Gaud.* 1.25.28. Russell 1999; Brown 1964.

‘debates’ with the dispossessed and harried Donatist leadership, producing transcripts of their defeats that could then be distributed amongst their old congregations. This initiative reached its apogee with Augustine’s account of his ‘debate’ with the Donatist bishop Emeritus of Caesarea in the latter’s old church. Augustine presented his encounter with Emeritus, brutally portrayed as a cowed and beaten old man, as a quasi-legal transcript.¹³¹ Faced with an impossible situation Emeritus had, after a short period, reverted to the only form of defiance open to him, silence. However, it made little difference. In the text Augustine merely continued the ‘dialogue’ by presenting what he *thought* Emeritus would have said.¹³²

‘Resistance’ and the Survival of the Donatist Textual Community

Paradoxically, some Donatist literature found a home in the post-411 Catholic textual community even in the work of their great destroyer. Augustine adopted and advanced some of Tyconius’ ideas in his own work, including his famous seven rules of biblical interpretation in the later books of *De Doctrina Cristiana*.¹³³ Pre-Constantinian martyr tales that had been much favoured by the Donatists, such as the Passion of the Abitinian martyrs, were also appropriated.¹³⁴ In the later fifth century Catholic writers made additions to the *Liber genealogus* as the text now resonated for them under the persecution of the Arian Vandals. Sermons by ex-Donatist bishops concerning their conversion to Catholicism also found their way into the collections of those who had once opposed them, such as Maximianus of Castellum Siniti, whose sermon is in the corpus of Augustine.¹³⁵

A dossier of sermons dating between 411 and 429, was probably written by an ex-Donatist who had joined the Catholic fold. There are signs within the collection of their author adapting to the new set of circumstances in which he found himself. In these sermons there is a careful avoidance

131 See, for instance, Augustine’s account of his ‘debate’ with the Donatist bishop Emeritus of Caesarea, which was clearly written to resemble an official legal document (Augustine, *Gesta cum Emerito*, preface). Shaw 2011, 508–12.

132 Augustine, *Gesta cum Emerito*, 2–3.

133 Tyconius, *Liber Regularum*, 72–5. Augustine, *De Doc. Christ.* 3; *De Civ. Dei*, 18, 49. For Tyconius’ influence on Augustine, van Oort 1991, 254–74.

134 Augustine, *Brev. Coll.* 3.17.32.

135 Pseudo-Augustine, *Sermones Dubii*, S.360; Dossey 2010, 154.

of allusions to the outside world or contemporary events.¹³⁶ There is also a sense of trying to find common ground through the condemnation of mutual enemies such as pagans and Pelagians.¹³⁷

However, isolated instances of subtle resistance still remained. One sermon, in particular, from the collection stands out with the gospels heavily used to expound a range of Donatist positions: false Christians did the devil's work but were exposed by their deeds (Matthew 7, 15–6); the good tree could not produce bad fruit nor the bad tree good fruit (Matthew 7, 18); wickedness naturally tries to hide itself but when it is exposed one needs to be wary of it (Matthew 7, 20); suffering persecution as the mark of the true Christian and taking part in persecution as the sign of false Christians (Matthew 5, 11). Isaiah 52, 11 and 2 Corinthians 6, 14 were also used to make the case for complete separation from sinners.¹³⁸ It has been suggested that its Catholic convert author had left this sermon in his collection as a reminder of old loyalties.¹³⁹

An intriguing suggestion has also been made about the Donatist *Acts of the Abitinian Martyrs*: that it was in fact written as a defiant response to the 411 conference, rather than in the early fourth century CE.¹⁴⁰ This text recounted the arrest, imprisonment and martyrdom of a group of Christians at Abitina and notoriously accused Caecilian and his bishop of using security guards to prevent their fellow Christians bringing the prisoners any food. Even Emeritus' seeming humiliation might also be read as a clever piece of recalcitrance. One might suspect that Augustine's partisan account airbrushed out Emeritus' accusatory eyeballing of his now Catholic ex-congregation assembled shamefacedly in front of him. However, Emeritus' repetitive response of 'fac' – 'do what you wish' – might in fact have been a cunning display of defiance on the part of an old bishop who well understood that Augustine would make his words immortal. These were the very words that no less a figure than Africa's most revered bishop and martyr, Cyprian of Carthage, had uttered to the persecuting Roman governor, Galerius Maximus, at his own triumphant trial.¹⁴¹

136 Alexander 2001, 6–7.

137 Leroy 1994, 140; 1997, 256.

138 Sermon 39 (Leroy 1997, 259–62) = Escorial 18 PLS 4, 707–10). Leroy 1997, 250–8 & Alexander, 2001, 5–6 for analysis of the features that identify this sermon as Donatist.

139 Leroy 1997, 250–2.

140 Dearn 2004 *contra* Tilley 1996, 25–50.

141 Shaw 2011, 12 n. 8.

Conclusion

During nearly a century of religious stasis both the Donatist and Catholic factions had marshalled ever-growing corpora of religious and legal textual 'evidence' in order to prove the rectitude of their respective positions. This literature also provided the building blocks for the creation of powerful, self-sustaining Donatist and Catholic textual communities that further consolidated the sectarian landscape of Christian North Africa in the fourth and early fifth centuries CE.

This deadlock was broken by the decisive intervention of Augustine of Hippo, who set out to dismantle the Donatist textual community. In letters, sermons, council documents, court papers and recorded debates, Augustine and his allies relentlessly attempted to delegitimise or appropriate the religious texts and secular documents around which Donatism had been carefully constructed. In characterising the Donatists merely as obstinate and misguided dissidents in need of correction within a broad Christian church, Augustine delivered a powerful refutation of the Donatist's carefully constructed self-image as the Church of the Pure attempting to insulate itself from a sinful world.

The Augustinian vision of a universal church inhabited by both saints and sinners was shored up by the creation of new texts that challenged the old certainties created by decades of religious sectarianism. Faced by opponents who were afraid of the legal consequences and anxious to maintain their self-image as a community that rejected the sinful world and refused to engage in dialogue, Augustine used any opportunity that presented itself to initiate contact with Donatist bishops and clergy in order to produce new texts from the transcripts of their 'conversations'.

Although it did not mark a conclusive end to the Donatist Controversy, the official records of the 411 Conference of Carthage and the abbreviated versions that followed it reflected the relentless nature of the Catholic campaign against the textual foundations of Donatism. The proceedings themselves underlined the importance that both sides ascribed to the production and dissemination of an official account of the conference. However, their respective strategies highlighted the gulf in their ambitions. Understanding a judicial judgement against them was a foregone conclusion, the Donatist leadership, merely hoped that their often perceptive and effective interventions would prepare the ground for a future appeal to an imperial government that was less implacably opposed to their cause. In contrast, the aim of Augustine and his fellow Catholics was nothing less

than to create a definitive 'universal' document that would not only conclusively settle this long-running and destructive dispute but also stand as an emphatic rejection of the idea of a discrete Donatist textual community.

Finally, it is worth reflecting on the relative failure of the Donatist strategy of *omerta*. When his approaches to Donatist bishops and clergy were met with silence, Augustine simply invented responses in order to keep the 'dialogue' going. This short-sighted tactic had another unforeseen but even more serious consequence, achieving paradoxically what even the 411 conference and subsequent imperial persecution failed to bring about: the eventual silencing of Donatism in North Africa.

CHARITABLE CORRECTION AND ECCLESIASTICAL UNITY IN AUGUSTINE'S *CONTRA EPISTULAM PARMENIANI*

Jennifer Ebbeler

In the early 390s, not long before his controversial ordination as Bishop of Hippo, Augustine declared his intention to challenge the Donatist Christian majority in Roman Africa. In an effort to appeal to the largely illiterate Donatist laity, he composed a clever verse chant, the *Psalmus contra Partem Donati*. In addition, he composed a response to a publicly circulating letter of Bishop Donatus, who had died some 40 years earlier. Augustine's response, the now lost treatise *Contra epistulam Donati haeretici*, countered Donatus' claim that only baptism by a Donatist bishop was legitimate. Over the course of his episcopal career Augustine would return several times to this strategy of inserting himself into correspondence between his Donatist rivals, particularly in the five or so years leading up to the momentous Council of Carthage in 411 CE.

To a great extent, Augustine's insertion of himself into these intra-Donatist correspondence was an adaptive response to their refusal to respond to his more traditional efforts to engage them in corrective letter exchanges. As Possidius tells us:

He also wrote personal letters to eminent bishops of the errant party and also to laymen. After explaining his actions, he admonished and exhorted them to either correct themselves of their error or at least to come and debate with him. But these men, lacking confidence in their cause, were never even willing to write back. Outraged, they ranted and shouted in public and private that Augustine was a seducer and deceiver of souls.¹

1 *Vita Augustini*. 9.3–4: 'Nam et epistulas privatas ad quosque eiusdem erroris episcopis eminentes scilicet et laicos dedit, ratione reddita admonens atque exhortans, ut vel ab illa se pravitate corrigerent vel certe ad disputationem venirent. At illi causae diffidentia ne quidem umquam rescribere voluerunt, sed irati furiosa loquebantur atque seductorem et deceptorem animarum Augustinum esse et privatim et publice conclamabant.'

In the 390s there was little reason for Donatists – especially Donatist clergy – to feel compelled to respond to Augustine’s criticisms of their theology and practice. Despite the growing tensions within the sect following the death of Parmenius in 391/2, Donatists surely believed that they had no reason to worry that Augustine and the Caecilianists would successfully challenge their dominance in African Christianity.

Around 405 CE, after a decade of failed attempts to engage a number of Donatist clergy and laity in conversations about their theological differences – via letter as well as public debate – Augustine revived his tactic of ‘intercepting’ and responding to letters that were exchanged between Donatists.² This shift in tactics seems to be indicative of Augustine’s growing acceptance that he would not be able to persuade his Donatist counterparts in the clergy to accept his charitable corrections of their errors in ‘friendly’ letters, and that it would be necessary to involve the Roman state and Roman judicial system in the correction of Donatist error.³ Augustine’s apparent shift in epistolary tactics coincides with the Roman emperor Honorius’ ‘unity edict’ (*edictum de unitate*), issued in the spring of 405, in which he sided with Augustine’s Caecilianists in favour of religious unity.⁴ For the first time in his episcopacy, Augustine may have felt that he had leverage with the Donatists. He did not entirely abandon his hope that he could entice Donatist clergy to engage in a process of (ostensibly) mutual, charitable correction, but he altered his tactics. Instead of writing directly to Donatists, Augustine now exploited the blurry generic lines between *epistulae* (letters) and *libri* (treatises).⁵ His three-book *Contra Epistolam Parmeniani* (*C. Ep. Parm.*), in which Augustine inserts himself into a correspondence between the Donatist bishop Parmenian and the

2 See Ebbeler 2012, 157ff for extended analysis of A’s failed efforts to engage Donatists directly in letter exchanges in the 390s and early 400s CE.

3 Ebbeler 2012, 180: ‘Their stubborn refusal to confess to and abandon their error, combined with the serious threat the error posed to the salvation of other Christians, required a change of strategy. Thus, in the early years of the fifth century, Augustine actively embraced the possibility of state-sanctioned, coercive correction.’

4 Lancel 2002, 290: ‘In reality, this “edict of union” contained the intention, clearly displayed in the introduction to one of these laws, purely and simply to proscribe Donatism.’

5 The most interesting evidence for his deliberate exploitation of genre is his *Contra Litteras Petilianas*, in which he distinguishes the first book as a letter and the following two books as treatises. *Retract.* 2.25: ‘etiam ipsa epistula est ad nostras, sed ideo inter libros habetur, quia ceteri duo in eadem causa libri sunt’; cf. Ebbeler 2012, 178.

Donatist grammarian Tyconius, is a fascinating example of this change in strategy. This paper offers a careful analysis of Augustine's rhetoric about and practice of charitable correction in the *Contra Epistulam Parmeniani*, and explicates Augustine's connection of ecclesiastical unity to charitable correction. Even as he moved away from the possibility of a corrective correspondence with Donatist Christians, Augustine persisted in his claim that the practice of charitable correction was essential to a healthy – and unified – Christian community.

In the opening section of *C. Ep. Parm.* Augustine explains the motives for his intervention in the correspondence of Parmenian and Tyconius:

Partly in written texts and partly even in treatises, I have raised many objections against other Donatists using the powers which God offers. When I got possession of a certain letter of Parmenian, the former bishop, a letter which he wrote to Tyconius – a man endowed with a sharp intellect and fertile facilities of speech despite being a Donatist – because Parmenian thought Tyconius was wrong in this thing which Tyconius was forced to confess, my Christian brothers were asking, no, actually, they were ordering me to respond to that very Parmenian because Parmenian accepts certain interpretations of Scripture which should not be accepted.⁶

The original letter exchange dates to c. 380 CE, prior to Tyconius' excommunication from the Donatist community for holding the view that true Christianity was spread throughout the world and that errant Christians should not be exiled from the church. The sins of one Christian, argued Tyconius, did not contaminate the community. Tyconius' position on the treatment of error in the Christian community, a position which accords well with the one Augustine would adopt, was strongly opposed to Donatist notions of purity.

It is worth observing that, at least as Augustine characterises it, this letter from the Donatist bishop Parmenian to Tyconius is a classic instance of the type of corrective correspondence that Augustine had been trying to push

6 *C. Ep. Parm.* 1.1.1: 'Multa quidem alias adversus donatistas pro viribus quas Dominus praebet partim scribendo partim etiam tractando disserui. Nunc autem, quoniam incidit in manus nostras Parmeniani quondam episcopi eorum quaedam epistula quam scribit ad Tyconium, hominem quidem et acri ingenio praeditum et uberi eloquio, sed tamen donatistam, cum eum arbitraretur in hoc errare quod ille verum coactus est confiteri, placuit petentibus, immo iubentibus fratribus, ut hic eidem Parmeniani epistulae responderem propter quaedam maxime quae de Scripturis testimonia non sicut accipienda sunt accipit'; cf. Bibliog on Tyconius.

on the Donatists. Tychonius was spreading a view of Christian community that Parmenian and more traditional Donatists opposed. Parmenian handled this disagreement by writing to Tychonius and demanding a written confession of error.⁷ ‘Indeed, at first, Parmenian thought that Tychonius could be corrected via letter’, writes Augustine. ‘But, later, the Donatists declared him a heretic at their council.’⁸ Augustine continues: ‘For this reason, in this treatise I decided to answer the letter of Parmenian which he wrote to Tychonius, criticising Tychonius’s view that the church was spread throughout the world and warning him not to dare to do that.’⁹

Augustine does not mention any response from Tychonius to Parmenian’s letter of reprehension. Instead, it seems, Augustine writes himself into the persona of Tychonius and responds to this now 25-year-old letter as if channelling Tychonius. Given Tychonius’ apparently profound influence on Augustine’s theology, especially on his understanding of the Pauline letters, this ventriloquising should not surprise. Finally, in this conclusion to the opening section of his response to Parmenian, Augustine seems to be rationalising his own more abrasive approach to the Donatists by citing the example of Parmenian himself. Augustine had written letters to the Donatists criticising their errors and asking them to correct their views. When that approach failed to produce the desired results, he reluctantly resorted to more aggressive tactics – such as soliciting the assistance of the Roman emperor – to ensure the eradication of Donatist error.

Augustine’s response to Parmenian’s corrective letter to Tychonius was long thought to date to c. 400 CE, but it has recently – and, in my opinion, correctly – been redated to 405 CE.¹⁰ This later date provides important historical context to an interpretation of Augustine’s interest in drawing a connection between correction and Christian unity. Most obviously, he seems to be echoing Honorius’s recent legislation on Christian unity.¹¹ It

7 *C. Ep. Parm.* 1.1.1: ‘... cum eum arbitaretur in hoc errare quod ille verum coactus est confiteri ...’.

8 *C. Ep. Parm.* 1.1.1: ‘Et Parmenianus quidem primo eum per epistulam velut corrigendum putavit; postea vero etiam concilio eorum perhibent esse damnatum’.

9 *C. Ep. Parm.* 1.1.1: ‘Epistulae itaque Parmeniani quam scripsit ad Tychonium reprehendens eum, quod Ecclesiam praedicaret toto orbe diffusam, et admonens ne facere auderet, hoc opera statuimus respondere.’

10 Hermanowicz 2008, 101 for discussion and bibliography. A probably heard the details of Salvius’ story while travelling through Africa in 404. Shaw 2011, 137.

11 See *C. Ep. Parm.* 1.10.16: ‘An forte dicent, etiamsi convincuntur in sacrilega dissensione, ut pro ea dementia si quid passi fuerint martyres non sint, non tamen

may also be that Augustine is attempting to exploit the ongoing internal strife in the Donatist sect that began when Parmenian's death created a succession crisis. The supporters of Maximian on the one side and Primian on the other had been waging an increasingly hostile war for control of the Donatist faction.¹² Although Primian and his supporters had won the legal battle by 405, the supporters of Maximian continued to resist assimilation, sometimes violently.¹³ It is possible that Augustine was also attempting to exploit this internal strife, both to encourage less committed Donatists to leave the increasingly troubled and unstable sect and perhaps even to reach out to Primian, who had been accused of accommodating sinners too readily. Perhaps Primian thought it useful to ally with Augustine in the face of resistant supporters of Maximian and an increasingly less neutral Roman imperial government. At the very least, it is surely not a coincidence that the treatise concludes with Augustine's narration of a particularly harrowing episode of sectarian violence that resulted in the excommunication of Salvius, a Donatist bishop and supporter of Maximian.¹⁴ We can imagine that Augustine recalled this

ad imperatorum potestatem haec coercenda vel punienda pertinere debere? Qua in re quaero quid dicant: an quia de religione vitiosa vel falsa nihil curandum est talibus potestatibus? Sed multa iam etiam de paganis diximus et de ipsis daemonibus, quod persecutiones ab imperatoribus patiantur. An et hoc displicet? Cur ergo ipsi ubi possunt templa subvertunt et per furores Circumcellionum talia facere aut vindicare non cessant? An iustior est privata violentia quam regia diligentia? Sed haec omitto.'

12 As Shaw 2011, 118ff, this hostility had extended to church property and other wealth.

13 Shaw 2011, 139–42.

14 In his *Retractationes*, Augustine sheds no light on the influence of the contemporary political situation on his decision to respond to Parmenian's letter at this point in time (2.17): 'In tribus libris Contra epistolam Parmeniani Donatistarum Carthaginensis episcopi successorisque Donati, quaestio magna versatur et solvitur, utrum in unitate et eorumdem communione sacramentorum mali contaminent bonos, et quemadmodum non contaminent disputatur propter Ecclesiam toto orbe diffusam, cui calumniando scisma fecerunt. In quorum libro tertio, cum disserteretur quomodo sit accipiendum quod ait Apostolus: "Auferte malum ex vobis ipsis", illud quod dixi ut ex se ipso quisque auferat malum, non sic esse intelligendum, sed sic potius ut homo malus auferatur ex hominibus bonis, quod fit per ecclesiasticam disciplinam, satis Graeca lingua indicat, ubi sine ambiguitate scriptum est, ut intellegatur: hunc malum, non: hoc malum, quamvis et secundum istum intellectum responderim Parmeniano.' See Shaw 2011, 136–8 for additional discussion of Salvius' excommunication.

episode following his extended correction of Parmenian's views on ecclesiastical unity and his advocacy of charitable, fraternal correction within the Christian community in an effort to shift his fraternal correction to Primian and his perpetuation of the Donatist traditions of excommunication and rebaptism. Of course, the long narration of current Donatist sectarian violence would also have been an embarrassment to both factions, particularly Augustine's mention of the involvement of the Abitinians – a citizenry that had produced noble martyrs during the Great Persecution of Diocletian – in the humiliation of Salvius. The public circulation of the story of Salvius's harsh treatment at the hands of his co-religionists would have been yet another reminder that the Donatist policy of ecclesiastical purity was often politicised and damaging to Christian community.

The first two books of Augustine's response to Parmenian model Augustine's conception of charitable, fraternal correction. Working from Parmenian's letter, Augustine rebuts his purported misunderstandings point by point. His response roams widely, moving from Parmenian's (mis)understanding of Christian unity and the management of sin in the Christian community to the supposed Donatist fascination with martyrdom, their unjust condemnation of Caecilian and charges of violence. Taken as a whole, Augustine is largely reiterating points he has made in other writings and sermons, rather than introducing new arguments in these first two books. He continues his critique of Parmenian's position on the place of sin and the sinner in the Christian community in Book 3, but also begins to articulate an important connection between unity (*pax*) and the responsibility of Christians to correct sin within the community rather than excommunicate sinners from the community. Just as Paul's correction of Peter in Galatians 2 played an influential role in Augustine's formulation of charitable, mutual correction, so does the Old Testament prophet Jeremiah's declaration 'Blessed are the peacemakers', since they will be called the sons of God in Augustine's connection of unity and fraternal correction.¹⁵

15 *C. Ep. Parm.* 3.2.10: 'beati pacifici, quoniam ipsi filii Dei vocabuntur.' Cf. *C. Ep. Parm.* 3.2.5, where Augustine connects forgiveness of sin (*miser cordia*) to the example of Christ: 'Sinceritas autem est et veritas, etiam si proficit aliquis, meminisse quid fuerit et multo magis misereri lapsorum, quandoquidem ipse erectus est a lapsu suo per Christi misericordiam, qui sine ullo suo peccato se pro peccatoribus humilavit.'

This connection is explicitly and rather aggressively stated in the opening section of Book 3:

Although every form of devout argument and type of ecclesiastical learning ought to focus particularly on the unity of the spirit in a bond of peace ... those wretched sons (*illi mali filii*, i.e. the Donatists) ... so that they are not revealed to lack the light of truth, they offer as an excuse the concealing shade of their strict discipline and, those things which, as they learned in sacred scripture, came about because of the honesty of healing love and the protected bond of peace (*custodita pacis unitate*) for the purpose of correcting the sins of their brothers in a piercingly careful manner, they adopt them for committing schismatic sacrilege and on the pretext of cutting sinners out of their flock.¹⁶

Augustine asserts that Parmenian and the Donatists misread scripture – in this case, the specific command ‘keep evil away from yourselves’ (*auferte malum a vobis ipsis*) – to justify their refusal to tolerate sin and sinners in their community instead of providing fraternal correction and preserving the bond of unity. Augustine first supports his interpretation by noting that the injunction was to keep sin – not sinners – at a distance.¹⁷ He then invokes the authority of Paul’s example, suggesting that when Paul references the punishing rod (*virga*), he distinguishes between the rod that brings *caritas severitatis* and the one that brings *caritas mansuetudinis*. *Caritas* (‘brotherly love’) is common to both, but works differently, depending on the particulars of the situation (*una quidem caritas est, sed diversa in diversis operatur*).

Furthermore, according to Augustine, Paul ‘does not separate fraternal love from the man whom he orders to be separated from the Christian community’.¹⁸ Rather, Paul instructs the Thessalonians ‘not to judge him

16 *C. Ep. Parm.* 3.1.1: ‘Cum omnis pia ratio et modus ecclesiasticae disciplinae unitatem spiritus in vinculo pacis maxime debeat intueri ... illi filii mali ... ne luce veritatis carere ostendantur, umbram rigidae severitatis obtundunt et, quae Scripturis sanctis salva dilectionis sinceritate et custodita pacis unitate ad corrigenda fraterna vitia mordacioris curatione fieri praecepta sunt, ad sacrilegium schismatis et ad occasionem praecisionis usurpant.’

17 *C. Ep. Parm.* 3.1.2: ‘Interim videamus, ne forte non frustra non dixerit Apostolus: “Auferte malos a congregatione vestra”, sed: Auferte malum a vobis ipsis, quia et, cum quisque impeditur ab Ecclesiae congregatione malos homines separare, si a se ipso auferat malum, non eis corde miscetur atque ita spiritaliter non solum coniungitur bonis, sed etiam separatur a malis.’

18 *C. Ep. Parm.* 3.1.3: ‘non tamen ab eo fraternam separat caritatem, quem de fraterna congregatione praecepit separari.’

as an enemy but to correct him as a brother'.¹⁹ (Later, Augustine writes that Paul recommends 'unifying brotherly love' (*pacifica caritas*) towards the sinner (*de isto, qui uxorem patris sui habuit, luctum potius indicat et pacificam caritatem ubique commendat*).²⁰ Augustine emphasises and expands on Paul's endorsement of a practice of *correctio cum caritate* and the connection between correction and unity (*pax*) in the several following sections of the treatise.

Augustine also clarifies that sins should not be ignored. His point is, rather, that the sinner should be corrected by his fellow Christians and remain within the Christian community – contrary to the Donatist practice of excommunication and post-repentance rebaptism. Indeed, even Cyprian tolerated the presence of sinners in the Christian community, preferring to correct sin 'wisely and soberly through the application of the medicine of an especially curative bite' (*prudenter ac sobrie saluberrimae mordacitatis inferens medicinam*) rather than break communion with the sinner.²¹ Augustine drives the stake in more deeply when he states:

Those Donatists would say that their church is now better and does not have the sort of colleagues that Cyprian had at that time of unity ... I will remind them of that earlier period of unity and I will ask them whether, when that great man, Cyprian, bishop of the Carthaginian church, wailed about such a sinful colleague, speaking freely in those writings which were left behind for posterity, was it the church of Christ or not?²²

Given the Donatists' reverence for the memory of Cyprian and claim to Cyprian's authority, this was an especially powerful example. If Cyprian

19 *C. Ep. Parm.* 3.1.3: 'et non ut inimicum eum existimetis sed corripite ut fratrem'.

20 See Ebbeler 2012, 115–28.

21 *C. Ep. Parm.* 3.2.8: 'Dicant ergo, si possunt, meliorem se atque purgatiorem habere nunc Ecclesiam quam erat ipsa unitas beatissimi Cypriani temporibus, qui collegas suos, a quibus tamen nulla corporali disiunctione separatus est, nullum eorum nominatim appellans, sed prudenter ac sobrie saluberrimae mordacitatis inferens medicinam, his verbis graviter arguit, quod esurientibus in Ecclesia fratribus habere argentum largiter vellent, fundos insidiosis fraudibus raperent, usuris multiplicantibus faenus augerent. Et ut apertissime ostenderet de his se dicere, cum quibus in unius Ecclesiae communione vivebat.'

22 *C. Ep. Parm.* 3.2.8: 'Dicant ergo isti meliorem nunc esse ecclesiam suam et non se habere tales collegas, quales habuit in ipsa unitate Cyprianus Ego eos ad illa ipsa priora unitatis tempora revocabo et ab eis quaeram, utrum, quando ille vir tantus episcopus Carthaginensis Ecclesiae Cyprianus de tam malo collegio testimonio liberae vocis usque ad ea scripta quae posteris etiam proderentur ingemuit, erat Ecclesia Christi an non erat.' Cf. *C. Ep. Parm.* 3.2.10.

tolerated sinners in his midst, preferring to correct rather than condemn, if African Christianity remained unified under Cyprian, what authority could the Donatists possibly cite for their refusal to associate with sinners? According to Augustine, the principle that guided Cyprian's tolerance was *caritas pacifica*, the brotherly love of one Christian for another that leads to correction and unity rather than banishment and disunity.²³

Following his lengthy discussion of Cyprian's example of charitable correction, Augustine circles back to the Pauline command to 'correct as a brother'. The more loving the preservation of brotherly love is, he claims, the more effective is the correction of waywardness (*tanto est efficacior emendatio pravitatis, quanto diligentior conservatio caritatis*).²⁴ Furthermore, it is the responsibility of the Christian *frater* to provide this correction to his sinning brothers. Sin is not contagious. It is possible for *mali* and *boni* to coexist. Provided that the *boni* recognise their communal responsibility for correcting the sins of their brothers in a spirit of 'healing unity' (*salva pax*), the sinner will be healed as if with a medicinal fire rather than killed (*non interfectorie percutitur sed medicinaliter uritur*).²⁵ Augustine drives the point home: 'Thus, let humans correct with pity what he can, but what he cannot endure patiently, let him lament and grieve in a spirit of love until either the sinner emends and corrects himself or until God scatters him at the harvest.'²⁶

It is man's responsibility to correct his fellow Christians; only God retains the privilege of separating the wheat from the chaff. Augustine does not deny that such a separation will eventually happen, but argues that it is not for the Donatists to perform it.²⁷

23 *C. Ep. Parm.* 3.2.10.

24 *C. Ep. Parm.* 3.2.13: Cf. 'tanto est efficacior emendatio pravitatis, quanto diligentior conservatio caritatis. Tunc autem hoc sine labe pacis et unitatis et sine laesione frumentorum fieri potest, cum congregationis Ecclesiae multitudo ab eo crimine quod anathematatur aliena est. Tunc enim adiuvat praepositum potius corripientem quam criminosum resistantem; tunc se ab eius coniunctione salubriter continet, ut nec cibum cum eo quisquam sumat non rabie inimica, sed coercitione fraterna.'

25 *C. Ep. Parm.* 3.2.14.

26 *C. Ep. Parm.* 3.2.15: 'misericorditer igitur corripiat homo quod potest, quod autem non potest patienter ferat et cum dilectione gemat aut lugeat, donec aut ille desuper emendet et corrigat aut usque ad messem differat.'

27 Cf. *C. Ep. Parm.* 3.4.25, where Augustine returns to the examples of the apostle Paul and Cyprian. He argues that, if Paul and Cyprian did not separate sinners from the Christian community, then the Donatists should not either; and *C. Ep. Parm.* 3.5.28.

Even more troubling to Augustine is the Donatist practice of rebaptism – an issue that had been in his sights since his priesthood but which was of particular relevance from the mid-390s on because of the power struggle between Maximian and Primian.²⁸ Once Primian gained the upper hand in the mid-390s and began the slow process of setting up his own bishops, it became necessary to deal with those supporters of Maximian who wished to come over to Primian. This conversion, so to speak, technically required rebaptism and we can assume that some number of former Maximianists underwent a second baptism in order to come into communion with Primian. The issue is not merely Donatist intolerance for sinners but the bad religious practice that intolerance produces. He urges his readers – probably Christians of his own community as well as ‘fence-sitting’ Donatists who could be persuaded to change sides – to recognise the sacrilege of appropriating divine prerogative in judging one’s Christian brothers and removing them from communion.

Augustine’s verbose, repetitive, but at times pointedly brilliant response to Parmenian’s efforts to correct Tychonius’s unacceptable (to the Donatists) understanding of Christian unity concludes with his rejection of the Donatist glorification of martyrs and martyrdom. He is responding directly to Parmenian’s concluding exhortation to Tychonius ‘that he remain steadfast a member of the Donatist party and suffer persecution’.²⁹ Parmenian’s instruction provides Augustine with a useful pretext to reiterate the well-known stereotypes about Donatists who seek martyrdom, even by suicide, and prefer to suffer violence – even at the hands of their fellow Donatists – rather than engage in charitable correction with an eye on unity.³⁰

The narration of an embarrassing episode in relatively recent Donatist history – the public humiliation of the Maximianist bishop Salvius – provides Augustine’s readers with a reminder of the very real consequences of the Donatists’ rejection of charitable correction. Augustine’s intention in recalling Salvius’ treatment at the hands of Primian’s supporters was partly to highlight the violence that inevitably flows from judgement rather than charitable correction, and partly to contrast the ongoing disunity of the Donatist party, even after Roman judicial intervention, with (at least

28 See, for example, Augustine, *De Bapt.* 3.1.

29 *C. Ep. Parm.* 3.6.29: ‘exhortatur Tychonium ut in parte Donati permaneat et persecutiones perferat’.

30 *C. Ep. Parm.* 3.6.29.

in Augustine's presentation) the more unified, 'Cyprianic' Caecilianist Christians. In the immediate aftermath of Honorius's edict of unity there would have been significant concerns about a renewed call to the Donatist community to resist imperial intervention and suffer persecution.

Salvius was a Donatist bishop in Membressa, a city located about 50 miles inland from Carthage. He was one of the 12 bishops who not only sided with but even consecrated Maximian in the aftermath of Parmenian's death in the early 390s.³¹ In April 394 Primian was able to convene a council of 310 bishops at the holy city of Bagai to attempt to reach a resolution to the succession crisis that had plagued the Donatist church and was causing serious destabilisation. The council issued a decree in which Salvius and other Maximianist bishops were declared heretics and cut out of the church, in accordance with typical Donatist practice.³² In the words of a preserved fragment of the decree:

We do not actually want these limbs to be amputated from our own body. But since the putrefying disease of a chronically debilitating wound benefits more from amputation than it does from the help of medicine, the healthier course of action is manifest. Care must be taken that this deadly poisonous infection does not spread through all the limbs of our body – and so, even if at the price of some pain, we must cut out this lesion at its birth.

The decree does allow a short timeframe for the return of Maximian's supporters to communion with Primian, but only if they 'have not yet been polluted ... and removed their hands from the head of Maximianus'.

Salvius' punishment for his support of Primian's rival was not merely excommunication. He was brutally and publicly humiliated. Indeed, instead of being corrected in a spirit of brotherly love, the resistant bishop was subjected to a manner of persecution by his fellow Donatists that far surpassed any form of Roman imperial persecution in this period.³³ A mob from the nearby town of Abitinia – once famous for its resistance to Diocletian and the Romans – came to Membressa and arrested Salvius. As Shaw notes, this mob did not follow judicial procedure by bringing Salvius before a court for discipline.³⁴ Instead, they staged a perverse triumphal parade. Dead dogs were tied around the aging bishop's neck and he was forced to parade through the streets of his town while the Abitinians

31 Shaw 2011, 131–9 for details of this ugly episode.

32 Shaw 2011, 127–8.

33 *C. Ep. Parm.* 3.6.29.

34 Shaw 2011, 137.

danced around him and shouted insults. This approach to perceived error – the infliction of shame on a longstanding member of the African Christian community – was meant to shock Augustine’s readers. In addition, it underscored the contrast between Augustine’s Pauline-inspired practice of charitable correction and the Donatist practice of handling behaviours they marked as sin. No Roman emperor, certainly not Honorius, could outdo the Donatists themselves in their persecutions of their own brothers.

Augustine concludes his critique of the Donatist veneration of martyrdom – and persecution of (reputedly) errant members of their own community – with the observation that ‘such new and recent acts provide sufficient indication of the sort of people the Donatists were from the start of the schism (in the aftermath of the Great Persecution)’.³⁵ Furthermore, he says, ‘if they suffer any consequences for these sorts of sins and perverse behaviors, if they are unwilling to be corrected, at least do not let them be honoured as martyrs’.³⁶ The implication of this final statement seems to be that, at least for Augustine, authentic martyrdom is not subjecting oneself to persecution, but, rather, subjecting oneself to the charitable correction offered by the Christian community. Likewise, it is the responsibility of Christians to provide charitable correction with an eye toward unification. The public humiliation of Salvius at the hands of the Abitinian Donatists illuminates the Donatists’ failure to grasp this basic principle of Christian community, a principle that was practised by Paul, Cyprian and other supposed authorities for the Donatists.

By 405, when Augustine was writing this treatise, he was surely beginning to understand that Roman judicial intervention would be necessary for the unification of African Christianity. In the tumultuous aftermath of Parmenian’s death, but especially in the early years of the fifth century, the Donatists themselves had already turned to the Roman courts in an effort to resolve the increasingly violent internal schism. The emperor Honorius had finally begun to take steps to force the unification of African Christianity by, in effect, outlawing Donatism. Yet, having devoted a decade and a half to advocating a position of charitable, mutual correction to manage errant behaviour in the Christian community, Augustine was reluctant to go on record as a supporter of imperial intervention and what

35 *C. Ep. Parm.* 3.6.29: ‘talibus recentibus et praesentibus factis quales ab initio fuerint satis indicant’.

36 *C. Ep. Parm.* 3.6.29: ‘si quid pro huiusmodi perversitatibus et iniquitatibus patiuntur, si nolunt corrigi, saltem non audeant gloriari’.

would, in the aftermath of 411, become ‘coercive conversion’. Thus, in this response to Parmenian’s efforts to correct Tychonius, Augustine offers his own version of a corrective letter. Not only does he correct Parmenian’s supposedly errant views but, additionally, he offers correction to Primian and contemporary Donatists, encouraging them to recognise that sinners should be allowed to remain in the community and be corrected through ‘unifying brotherly love’ (*caritas pacifica*). For Augustine, ecclesiastical unity is inextricably bound to the practice of charitable correction – whether via letters, treatise, conversation or even the courts. In some sense, Augustine may also be offering Primian and his supporters an opportunity to acknowledge this point and finally engage directly with Augustine rather than be subjected to imperial interventions in church practice.

In the end, as we know, Augustine’s direct efforts to encourage Donatist Christians to correct their supposedly errant practices were unsuccessful. Rome was called in and Donatists were ordered to join the ‘Catholic’ communion, resulting in resistance and the sporadic persecution of holdouts. But by repeatedly making a case for correction and unification in writings such as this response to Parmenian, Augustine could claim that he had made a sustained effort in good faith to unify African Christianity without invoking the authority of the Roman emperor.

AUGUSTINE IN CONTROVERSY WITH THE DONATISTS BEFORE 411*

Éric Rebillard

The grouping of the anti-Donatist works in the *Indiculum* can give the erroneous impression that Augustine provided a systematic, theological treatment of the controversy.¹ Many scholars discuss separately the circumstances in which the different texts were written and their theology, as if the latter were either independent of the former or more important.² The traditional chronology, based mainly on the order of the works in the *Retractationes*, made it look as though Augustine dealt first with some of the most important Donatist texts of the past (Donatus, Parmenian, Cyprian's legacy) before launching himself into a 'war of pamphlets'³ with his contemporaries (Petilian, Cresconius, et al.).⁴ Modern editions also contribute to the same fallacious impression: in some cases what is presented to modern readers as one work is in fact the result of an after-the-fact editorial decision made by Augustine himself at the time he wrote the *Retractationes*.⁵

* For Augustine's works, the Latin text is from *Saint Augustine: Opera Omnia CAG. Electronic Edition* (Charlottesville, VA: IntelLex Corporation, 2001) and translations from *The Works of Saint Augustine (3rd Release). Electronic Edition* (Charlottesville, VA: IntelLex Corporation, 2001), with the exception of the *Retractationes*, for which my translations are based on *Saint Augustine, The Retractions*, trans. Mary Inez Bogan (Washington, DC: The Catholic University of America Press, 1968), and of the *Against the letters of Petilian*, which are based on *Nicene and Post-Nicene Fathers*, Vol. IV: *St. Augustine: the writings against the Manichæans and against the Donatists*, trans. J. R. King (Edinburgh: T. and T. Clark, 1887). Abbreviations: PCBE 1 = *Prosopographie chrétienne du Bas-Empire. 1. Prosopographie de l'Afrique chrétienne (303–533)* (Mandouze 1982).

1 On the *Indiculum* and Possidius, see Dolbeau 1998, 3–22 and Hermanowicz 2008, 57–60.

2 See Bonner 1963, who presents the circumstances of writing in chapter 6 and the theology in chapter 7, or Lancel 2002, who presents 'the genesis of the great anti-Donatists' at 277–81 before exposing the theology under the heading 'Developing a theology of the Church' at 281–5.

3 I borrow the phrase from Shaw 2011, 433.

4 See, for instance, Bavaud 1964, 9.

5 See below on *Contra Litteras Petiliani*.

The new chronology of some of the anti-Donatist works, established after the discovery of the Dolbeau sermons by François Dolbeau himself and refined by Pierre-Marie Hombert,⁶ introduced changes to the traditional presentation of Augustine's anti-Donatist works that have not yet been thought through, though they are not without consequences for our understanding of the genesis of the works. This chapter intends to address this question by scrutinising the circumstances of composition of the 19 texts that are counted as anti-Donatist works written before 411.⁷ First, however, we need to consider what Augustine knew about Donatism before his ordination.

Augustine and Donatism Before his Ordination

It is a common assumption that Augustine discovered Donatism when he arrived in Hippo after his ordination as priest (spring 391).⁸ The story goes like this: (1) Augustine grew up in a city that was entirely Catholic, Thagaste; (2) during his time in Carthage he was a Manichaean and then he went to Italy; (3) upon his return in Africa he quickly went to the Catholic Thagaste and stayed there until his ordination.

The story of the 'conversion' of Thagaste is told by Augustine himself in Letter 93, where he explains how he changed his mind about the use of coercion against the Donatists:

For the first argument against me was my own city. Though it was entirely in the Donatist sect, it was converted to the Catholic unity out of fear of the imperial laws, and we now see that it detests the destructiveness of this stubbornness of yours so that no one would believe that it was ever a part of it.⁹

Because it seems so unbelievable that the city was Donatist at the time the letter was written – i.e. in 407/8¹⁰ – it is usually assumed that the 'conversion' happened a long time before and the imperial laws are

6 Dolbeau 2009; Hombert 2000.

7 See Madec 1996, 89–94 for a short, but insightful, presentation.

8 See, for instance, Lancel 2002, 162.

9 Augustine, *Ep.* 93.17: 'Nam primo mihi opponebatur civitas mea, quae cum tota esset in parte Donati, ad unitatem catholicam timore legum imperialium conversa est; quam nunc videmus ita huius vestrae animositatis perniciem detestari, ut in ea numquam fuisse credatur.'

10 On the date, see Morgenstern 1993, 100 and n. 1409.

identified with the edict of Constans in the summer of 347.¹¹ During the conference at Carthage in 411, Alypius, bishop of Thagaste, could boast that his city had known unity for a long time.¹² His claim was not contradicted, and we can therefore conclude that there had not been a Donatist bishop at Thagaste for a while.

If we grant that Augustine did grow up in a Catholic city, should we assume that he was ignorant or barely aware of the schism? Brent Shaw recently reminded us how strong the hatred was that divided African Christians.¹³ Augustine's family itself comprised both Catholics and Donatists, as is attested in a letter he wrote to a Donatist relative in 399 or 400.¹⁴ It is therefore unlikely that he did not have first-hand experience of the schism before he moved to Italy. Being a Manichaean in Carthage did not isolate him from the other Christian groups. Manichaeans claimed to be Christian just like the Donatists and the Catholics.

When he came back to Africa Augustine stayed in Carthage before moving to Thagaste.¹⁵ He recalled in the *City of God* that his host was a very devout man with a very religious household; Innocentius was a Catholic and his house was visited by many Catholics.¹⁶ Indeed, there Augustine met Aurelius, who soon thereafter became the Catholic bishop of Carthage, but was only deacon at that time.¹⁷ However, this is less matter-of-fact than it might appear. Augustine and his friend Alypius must have carefully chosen with whom they would stay in Carthage and which church they would join. It is very likely that their credentials as Christians baptised in Milan were

11 For the date of the edict, see now Shaw 2011, 825–7; for Frend 1952, 184, it is Augustine's upbringing as a Catholic that allows such a dating for the conversion of Thagaste. There is here a risk of circular reasoning hinted at by Lancel 1972–91, 785n1.

12 *Gesta Coll. Carth.* 1.136: 'Utinam, quemadmodum Tagastis antiqua unitate gaudet, ita etiam de ceteris locis gaudeamus!'

13 Shaw 2011.

14 Augustine, *Ep.* 52 to Severinus; on the dating, see Morgenstern 1993, 101 and n. 1416.

15 The duration of the stay in Carthage is difficult to establish: see Maier and Perler 1969, 147–9.

16 Augustine, *De Civ. Dei* 22.8: 'erat cum tota domo sua religiosissimus'. See Innocentius 2 in PCBE 1.

17 Augustine, *De Civ. Dei* 22.8: 'Visitabant eum quotidie sancti viri, episcopus tunc Uzalensis, beatae memoriae Saturninus, et presbyter Gulosus ac diaconi Carthaginensis ecclesiae; in quibus erat et ex quibus solus est nunc in rebus humanis iam episcopus cum honore a nobis debito nominandus Aurelius.'

addressed specifically to the Catholic bishop of Carthage. We know in any case that the Donatists later questioned these credentials.¹⁸

Once in Thagaste the situation was easier, as there was no Donatist church. There is not much evidence of his interactions with the local clergy in the texts from this period,¹⁹ but we should not necessarily expect them to be discussed or even mentioned. On the other hand, Thagaste was not so far from Donatist strongholds, and Catholics in Thagaste must have heard reports about violence inflicted upon their fellow believers in nearby cities.

Letter 20, which can be dated to the time of Augustine's stay in Thagaste,²⁰ offers interesting testimony. The letter is addressed to one Antoninus,²¹ who was a Catholic himself, but whose wife was Donatist. Augustine was not only aware of and concerned about such a situation, but offered his assistance: 'For there is hardly anyone concerned about the state of his soul and, for this reason, intent upon seeking the will of the Lord without any stubbornness, who by using a good guide does not distinguish the difference between some sect and the one Catholic Church.'²² Even if Augustine at the time was clearly more interested in combating the Manichaeans,²³ it is hard to believe that he did not start to read about the schism and its history.

Finally, a hypothesis in James J. O'Donnell's 'new biography' of Augustine needs to be considered. O'Donnell wants to explain the striking presence of Monnica in both the *Confessions* and the Cassiciacum dialogues by 'her religious history and its capacity to embarrass Augustine'.²⁴ Indeed, it is likely that Monnica grew up as a Donnatist in Thagaste and did not convert long before the birth of Augustine in 354 if she joined the Catholic church at the same time as the whole city around 347.²⁵ O'Donnell suggests that Augustine 'shows' Monnica so frequently

18 See Augustine, *Enarr. in Ps.* 36.3.19: 'ubi baptizati sunt?'

19 O'Donnell 2005, 213–4; BeDuhn 2013, 89–90.

20 Evidence for dating the letter is scarce beyond the place where it is included in the *Indiculum*; see Lancel 2011, 345.

21 Antoninus 1 in PCBE 1.

22 Augustine, *Ep.* 20.3: 'Nemo enim fere sollicitus de statu animae suae atque ob hoc sine pertinacia inquirendae voluntatis domini intentus est, qui bono demonstratore usus non dinoscat, quid inter schisma quodlibet atque unam catholicam intersit.'

23 See BeDuhn 2013, 23 and 26–87 for the texts written in this period.

24 O'Donnell 2005, 56.

25 See above.

in these texts because he has to assert that ‘her adherence to the right brand of religion is genuine’.²⁶ It looks like O’Donnell is finding hints of Augustine’s embarrassment in the passage of the *Confessions* where he reports that his mother Monnica continued some traditional African – i.e. Donatist – practices such as bringing food offerings to the tombs of the dead.²⁷ Yet the bringing of food offerings to the tombs of the dead seems to be simply traditional, not Christian, and no more Donatist than Catholic in this respect.²⁸ The use by Augustine of *superstitio* for describing his mother’s practice in the *Confessions*, however, is a striking parallel to its use in several autobiographical passages where Augustine talks about the religion of his childhood.²⁹ If, then, the case can be made that Augustine was self-conscious about the Donatist past of his mother, it is quite clear that Augustine was not only aware but quite conscious about the schism, and this even before he came back from Italy, at the time of writing the Cassiciacum dialogues.

The First Anti-Donatist Works

The *Song Against the Donatists* is usually presented as the first anti-Donatist work of Augustine.³⁰ Shaw has now magisterially shown the role played in the sectarian battle by this piece, which has been looked upon with condescension – and as a result overlooked – by so many scholars.³¹ He emphasises that the decision to write the ABC song was taken in the aftermath of the conference held in Hippo Regius in October 393.³² Whether or not Augustine took part in the deliberations at the conference – as he was still only a priest – he nevertheless had the opportunity to show off his oratorical talents to the assembled bishops. Aurelius had invited him

26 O’Donnell 2005, 57.

27 Augustine, *Conf.* 6.2.2; O’Donnell 2005, 56 and 213.

28 See Rebillard 2005, 99–111.

29 See, for instance, Augustine, *De Beata Vita* 1.4: ‘nam et superstitio quaedam puerilis me ab ipsa inquisitione terrebat’; O’Donnell 2005, 56. Courcelle 1968, 273 presents parallel texts and points to the role of Augustine’s Catholic entourage in the development of this *superstitio puerilis*.

30 The date of composition of the *Song* is solely based on its position in *Retract.* 1.20.

31 Shaw 2011, 475–89.

32 Shaw 2011, 475, 482.

to give the closing speech, later edited as *On the Faith and the Creed*.³³ It is likely that Augustine was invited by the bishops to write a song that could be opposed to the songs composed by the Donatist Parmenian.³⁴ In his *Retractationes* Augustine presents the motivations for writing it as his own,³⁵ which is entirely expected in this context. It cannot be emphasised enough, however, that Augustine was part of a team that he was not leading, at least at this time, and that he acted as a team player.³⁶ This is important to keep in mind when we consider the written engagement of Augustine in the controversy. The ABC song, according to Paul Monceaux, depends entirely upon Optatus for its information,³⁷ though we cannot establish it, it is likely that Augustine also had some knowledge of Parmenian's psalms. In any case, there is no evidence that he had done independent research on the history of the schism at this point.

What Augustine writes in the *Retractationes* about the now lost *Against a letter of Donatus the heretic*, written while he was still a priest, at first seems to support the position of scholars who emphasise the paucity of his information on Donatism at the time; Augustine himself comments on three mistakes he made in this treatise. The first is the confusion of two men both named Donatus: the bishop of Casae Nigrae and the eponymous bishop of the schism, the bishop of Carthage.³⁸ The existence of two men named Donatus, which is generally rejected by modern historians,³⁹ is mentioned by Augustine for the first time in 405–6 in his reply to Cresconius and

33 Madec 1996, 40–1; Augustine, *Retract.* 1.17.

34 These songs are not preserved: see Monceaux 1901–23, 225–6. Their reputation was still alive in Italy in the first half of the fifth century: see *Arnobius Iunior-Praedestinatus* 1.44: 'Parmenianos a Parmeniano, qui per totam Africam libros contra nos conficiens, et novos psalmos faciens circumibat, contra quem noster scripsit Optatus.' Augustine mentions 'psalms' composed by Donatists but does not name Parmenian; see *Ep.* 55.18.34: 'ita ut Donatistae nos reprehendant, quod sobrie psallimus in ecclesia divina cantica prophetarum, cum ipsi ebrietates suas ad canticum psalmodum humano ingenio compositorum quasi ad tubas exhortationis inflamment.'

35 Augustine, *Retract.* 1.20: 'volens etiam causam Donatistarum ad ipsius humillimi vulgi et omnino imperitorum atque idiotarum notitiam pervenire, et eorum quantum fieri per nos posset inhaerere memoriae, psalmum qui eis cantaretur per latinās litteras feci ...'.

36 See Monceaux 1901–23, 35–75 on the 'allies' of Augustine; Hermanowicz 2008 on the role played by other bishops such as Possidius and Alypius.

37 Monceaux 1901–23, 82–3.

38 Augustine, *Retract.* 1.21.

39 See Donatus 5 in PCBE 1.

seems to be familiar enough to him that he does not comment upon it.⁴⁰ It is difficult to establish when and why the distinction was introduced – it is unknown to Optatus, who published a second edition of his treatise in 385,⁴¹ but was accepted by both parties at the Conference of Carthage in 411.⁴² The mention in the *Retractationes* assumes that Augustine could have known about it at the time of writing *Against a letter of Donatus the heretic*. However, it is a very minor detail in the discussions of the history of the schism.

The second mistake seems more consequential: Augustine attributed to Donatus the introduction of rebaptism,⁴³ while it was in fact a normal practice in Africa.⁴⁴ The third one, however, is again unrelated to a lack of interest in Donatism. Augustine acknowledges that at the time he was not familiar with the African version of the Old Latin translation of the Scriptures.⁴⁵ Thus we should be wary about giving too much importance to these early mistakes and deducing from them a lack of interest in Donatism prior to or at the time of the priesthood.

The notice in the *Retractationes* unfortunately does not say anything about the circumstances in which Augustine got hold of Donatus' *Letter*. Some caution is required also about the reconstitution offered by Monceaux, who, although the *Letter* of Donatus is not known outside of its mention by Augustine in the *Retractationes*, gives it a title (*Epistula de baptismo*), describes its content and recreates a context for its composition.⁴⁶

The same caution is necessary regarding the next work dealing with the controversy, two books *Against the Party of Donatus*, also lost, which seem to have been written at the end of 397.⁴⁷ At the time, as Augustine notes in the *Retractationes*, he had declared himself against the use of

40 Augustine, *C. Cresc.* 2.1.2.

41 Labrousse 1995, 12–4.

42 See Barnes 1975, 16–7 on how the distinction might have arisen and Alexander 1980, 540–7 on the motivations for its introduction.

43 Augustine, *Retract.* 1.21: 'nec sane Donatus Carthaginensis ut christiani rebaptizarentur instituit, quod ego eum instituisse credideram, quando eius epistulae respondebam.'

44 See Mac Gaw 2008.

45 Augustine, *Retract.* 1.21: 'nos autem, et antequam esset pars Donati, sic habuisse codices plurimos verum tamen Afros, ut non esset in medio: et iterum tangit illum, postea didicimus.'

46 Monceaux 1901–23, 125–9.

47 It is the first anti-Donatist work to be written after the episcopal election, according to *Retract.* 2.5.

coercion. However, he does not give any clue about the context in which he took such a stance. Monceaux speculates that *Against the Party of Donatus* was the first general work written against the Donatists since Optatus,⁴⁸ but there is nothing to sustain such a claim beyond the title of the books. It fits well in the development of Augustine's engagement with the controversy according to the traditional chronology of the anti-Donatist works, as Donatus was an obvious starting point in the systematic project of refutation attributed to Augustine. However, if this were the case it is difficult to explain how such a treatise was lost.

Between these two works Augustine was elected bishop of Hippo Regius in 395 or 396.⁴⁹ It does not seem that this change of status was accompanied by a sudden change in the nature or the level of his polemic against the Donatists. Indeed, we now know that it is not before 404 that Augustine deals with the core theological issues at stake, when he writes the *Against the Letter of Parmenian* and, shortly after, *On Baptism*. In addition, it is only after 400 that he became involved in what can be described as a 'war of pamphlets'.⁵⁰ I will consider the two sets of works separately, although they are not separated chronologically.

Quaestio magna: Against Parmenian

The circumstances of their composition and their content set the three books of *Against the Letter of Parmenian* and the seven books of *On Baptism* apart from the other anti-Donatist works written before 411.

There is strong evidence that shows that Augustine was working on Book 2 when he preached Sermon Dolbeau 26 on 1 January 404.⁵¹ Book 3 was completed after Augustine's trip to the strongholds of the Maximianists (Musti, Assuras, Membressa and Abitinae), which took place in winter 403/4.⁵² As the three books present a strong unity, it is safe to assume that they were written within a short period of time of one another, before

48 Monceaux 1901–23, 87.

49 On the election and its date, see Lancel 2002, 182–5.

50 See below on this chronology.

51 Dolbeau 1998, 357–9; Hombert 2000, 89–91.

52 Augustine's trip in this area is attested to in *C. Cresc.* 3.60.66 and 4.49.59; dated to Summer 404 by Maier and Perler 1969, 252–3, it is now dated to winter 403–4 on the basis of the date of Sermon 25: see Dolbeau 1998, 245–7.

and after this trip. *On Baptism* was written shortly afterwards;⁵³ indeed, Augustine presents it as a sequel to *Against the Letter of Parmenian*: 'In the books that we wrote against the letter of Parmenian sent to Tyconius, we promised that we would treat the question of baptism more thoroughly.'⁵⁴ This corresponds to his comments in Book 2: 'But with the question of baptism, we will deal at more length, God helping, after we have given an answer to Parmenian about all the evidence from holy scripture which he thought should be thrown against us.'⁵⁵ The postponing of the composition of these two treatises from 400 to 404 shows that, although Augustine was not as ignorant about Donatism as is traditionally assumed, nevertheless it was a number of years before he engaged with the theology of the Donatist controversy.

In this respect, the circumstances of composition are important to consider. At the beginning of Book 1 of *Against the Letter of Parmenian*, Augustine mentions that a letter written by Parmenian, the Donatist bishop of Carthage who died before June 393,⁵⁶ 'came into his hands',⁵⁷ and that his fellow bishops asked him, or rather ordered him, to refute it.⁵⁸ The letter of Parmenian was addressed to Tyconius, a dissident also dead at the time.⁵⁹ Augustine had come upon Tyconius and his works about ten years before the letter of Parmenian 'came into his hands'. He probably read the *Book of the Rules* in summer 395, while he was still a priest.⁶⁰ In a letter written to Aurelius, bishop of Carthage, soon after his own election,⁶¹ Augustine asks his mentor about Tyconius: 'as I have already often written, I await to know

53 The only certainty is that it was written after *Contra Epistulam Parmeniani*; the parallel between *De Bapt.* 1.1.1 and *C. Ep. Parm.* 2.14.32 seems to indicate that it was likely to have been written shortly after the completion of the latter.

54 Augustine, *De Bapt.* 1.1.1: 'in eis libris, quos adversus epistulam parmeniani quam dedit ad Tychonium scripsimus, promissimus nos diligentius quaestionem baptismi tractaturos.'

55 Augustine, *C. Ep. Parm.* 2.14.32: 'sed de quaestione baptismi latius aliquid domino adiuvante tractabimus, cum de omnibus testimoniis sanctarum scripturarum quae nobis obicienda credidit Parmeniano responderimus.'

56 Parmenianus in PCBE 1.

57 Augustine, *C. Ep. Parm.* 1.1.1: 'incidit in manus nostras Parmeniani quondam episcopi eorum quaedam epistula quam scribit ad Tychonium.'

58 Augustine, *C. Ep. Parm.* 1.1.1: 'placuit petentibus, immo iubentibus fratribus, ut hic eidem Parmeniani epistulae responderem.'

59 Tyconius died around 395; see Vercruyssen 2004, 14 and n. 2.

60 Dulaey 2000, 58 n. 139.

61 Morgenstern 1993, 24.

what you think concerning Tyconius' seven rules or keys'.⁶² The reason for Augustine's consultation is that he knows Tyconius to be a Donatist and is unsure if he should use his exegetical works. It is debated whether or not this embarrassment is the reason why the *De doctrina christiana* was abandoned at the time and only completed some 30 years later.⁶³ In *Against the Letter of Parmenian*, Augustine notes that, despite being astute, Tyconius is nevertheless a Donatist,⁶⁴ and he does not quote or use him in his refutation of Parmenian.

The mandate of the bishops already sets apart *Against the Letter of Parmenian*, as will become clear below. Augustine also notes in the *Retractationes* that he deals in the three books with an 'important question':⁶⁵ 'whether evil men in the unity and communion of the same sacraments contaminate good men'.⁶⁶ Such an emphasis on the theological argument at stake is unique among the entries for his anti-Donatist works in the *Retractationes*. Augustine usually summarises briefly the circumstances of writing – in many cases by simply repeating what he says at the beginning of the works themselves – and addresses a few statements that he wants to clarify or correct.⁶⁷ Though it proceeds as a refutation of Parmenian's text, *Against the Letter of Parmenian* is driven by an overall theological argument. The same is true with *On Baptism*. Monceaux thought that Augustine was refuting a Donatist treatise in Book 1 of *On Baptism*.⁶⁸ However, there is no mention of such a treatise either in *On Baptism* or in the *Retractationes*.⁶⁹ After Book 1, dedicated to general issues related to the validity of baptism, Augustine wrote six more books on the positions defended by Cyprian in some letters and at a Council of 256. In these two texts Augustine offers his first theological treatment of the controversy and, we could add, he thus makes

62 Augustine, *Ep.* 41.2: 'de Tychonii septem regulis vel clavibus, sicut saepe iam scripsi, cognoscere, quid tibi videatur, expecto.'

63 On Augustine and Tyconius, see Vercruysse (ed.) 2004, 91–4; on the *De Doctrina christiana*, see Moreau 1997, 10–14.

64 Augustine, *C. Ep. Parm.* 1.1.1: 'ad Tychonium, hominem quidem et acri ingenio praeditum et uberi eloquio, sed tamen Donatistam.'

65 Augustine, *Retract.* 2.17: 'quaestio magna'; some mss. read 'nova'.

66 Ibid.: 'utrum in unitate et eorundem communione sacramentorum mali contaminent bonos'.

67 See Madec 1996, 13.

68 Monceaux 1901–23, 92–3.

69 Bavaud 1964, 29, 11; Madec 1996, 91 n. 14; Mac Gaw 2008, 242.

the controversy a matter of theology and therefore of heresy rather than simply a matter of schism.

Indeed, it is no accident that these works were written in 403–4, at a time of intense Catholic lobbying of the imperial court.⁷⁰ While other bishops were compiling what Shaw calls ‘the Ravenna dossier’ – a collection of stories about violence against Catholic bishops at the hands of the Donatists⁷¹ – Augustine was in charge of preparing a theological attack against the Donatists in order to sustain the accusation of heresy.⁷²

Propter ipsam disputationum copiam: Against Petilian

Between 400 and 411 Augustine industriously refuted every piece of Donatist writing that was in circulation. As he says in the Preface to *On the One Baptism*, he did so ‘for the sake of abundant polemics, so that a rare text does not come only into the hands of the diligent people, but that out of many texts one at least arrives in the hands of even the more negligent ones’.⁷³ Thus, when the Catholics of Constantina hand to Augustine what they present as a letter of the local Donatist bishop, Petilianus, to his clergy,⁷⁴ Augustine decides to write a letter to the Catholics of Hippo in which he refutes the letter of Petilianus.⁷⁵ This is the text we know as Book 1 of

70 Shaw 2011, 517–20.

71 Shaw 2011, 520–32. There is no direct evidence on the responsibility for collating these stories. Shaw 2011, 531 seems to suggest that Augustine is responsible as all six cases are closely associated with Hippo, but several bishops went to the imperial court, whether on their own or as part of a concerted move; see Augustine, *C. Cresc.* 3.43.47 with Hermanowicz 2008, 149–50.

72 This is not the only strategy: the Catholics also changed their definition of heresy: see Hermanowicz 2008, 129–31.

73 Augustine, *Un. De Bapt.* 1.1: ‘propter ipsam disputationum copiam, ut non solum ad diligentes res rara perveniat, sed quodlibet ex multis in manus etiam neglegentioris incurrat.’

74 Augustine, *C. Litt. Petil.* 1.1: ‘nunc vero cum essem in ecclesia Constantiniensi absentio praesente et collega meo Fortunato eius episcopo, obtulerunt mihi fratres epistulam, quam ad suos presbyteros eiusdem schismatis episcopum dedisse dicebant, sicut earundem quoque litterarum praetendebat inscriptio.’

75 See the address of *C. Litt. Petil.* 1: ‘dilectissimis fratribus ad nostrae dispensationis curam pertinentibus Augustinus in domino salutem’; and the account in *Ep. ad Cath.* 1.1: ‘meministis, fratres, Petiliani Donatistarum Constantiniensis episcopi

Against the letters of Petilian. Despite the editorial decision to group them under a common title that Augustine made in the *Retractationes*,⁷⁶ the three books of *Against the letters of Petilian* must be considered as three different works and reviewed in their order of composition.

Different elements allow dating Augustine's visit to Constantina to spring 400.⁷⁷ When he decides to refute Petilian's letter he knows that the text handed to him in Constantina is only a part of it.⁷⁸ Indeed, sometime afterwards, while his own letter circulated among both Catholics and Donatists, Augustine received the whole letter.⁷⁹ He then decided to refute the entire text in what is known as Book 2 of *Against the letters of Petilian*, composed before the end of 401.⁸⁰

It is interesting to note that both Catholic and Donatist bishops used the form of letters to their own congregation in order to address their opponents. It seems to have been a shared strategy; there is no need to imagine these letters being 'intercepted' by one side or the other.⁸¹ Augustine sarcastically supposes that the Donatists did this because they did not want to address him directly.⁸² However, Augustine does the same

perparuam epistulae partem in manus nostras aliquando venisse eique particulae quod responderim scripsisse me ad dilectionem vestram.'

76 Augustine, *Retract.* 2.25: 'etiam ipsa epistula est ad nostros, sed ideo inter libros habetur, quia ceteri duo in eadem causa libri sunt.'

77 See Maier and Perler 1969, 231.

78 Augustine, *C. Litt. Petil.* 1.25.27: 'nihil me praetermisisse arbitror eorum, quae iste in epistula sua posuit, dumtaxat quae in ea parte ad quam pervenimus potui reperire.'

79 Augustine, *C. Litt. Petil.* 2.1.1: 'Primis partibus epistulae Petiliani quas tantummodo inveneramus satis nos respondisse meminerunt qui ea legere vel audire potuerunt. Sed quia postea tota est a fratribus inventa atque descripta missaque nobis, ut universae respondeamus, non erat defugiendum hoc officium stili nostri.' See the account in *Ep. ad Cath.* 1.1: 'sed cum postea tota et plena nobis a fratribus qui ibi sunt mitteretur, placuit ei ab exordio respondere'.

80 The dating is based on the mention of Anastasius, who died on 19 December 401, as the current bishop of Rome: *C. Litt. Petil.* 2.51.118: 'cathedra tibi quid fecit ecclesiae Romanae in qua Petrus sedit et in qua hodie Anastasius sedet ...'. I do not think there is much point in discussing the possibility that the mention of Anastasius dates the Letter of Petilian rather than the response of Augustine: see Hombert 2000, 54–5.

81 For a scenario about 'intercepted letters', see Ebbeler 2012, 177–80.

82 Augustine, *C. Litt. Petil.* 2.1.1: 'simul etiam ut idem ipsi Donatistae, qui coram nobiscum disserere nolunt, per litteras quas suis ediderunt ita non effugiant respondentem sibi ad singula veritatem, tamquam nobiscum faciem ad faciem colloquantur.'

in the *Letter to the Catholic brothers*.⁸³ On both sides, these letters were read in public, copied and circulated, and extracts were memorised.⁸⁴

Only Book 1 of *Against the letters of Petilian* was presented by Augustine as a letter in the *Retractationes*; the other two were called books.⁸⁵ Petilian, however, had replied to Book 1 with a letter.⁸⁶ It is usually supposed that the letter was addressed to Augustine.⁸⁷ I presume this is because it contains numerous personal attacks against Augustine. However, Augustine does not confirm this anywhere and even mentions that Petilian, in the conclusion of his letter, addresses his own party.⁸⁸

The *Letter to the Catholic brothers* is another such letter. It is not listed in the *Retractationes* and its authenticity has been questioned. However, there is no serious reason to reject it as it appears to be listed in the *Indiculum* of Possidius.⁸⁹ The mention of facts that Augustine learned during his trip during the winter of 403–4 and that are also mentioned in *Against the Letter of Parmenian* supports a composition shortly after the trip, in spring or summer 404.⁹⁰ Augustine does not disclose in his opening what his immediate motivations for writing this letter were. It is addressed to the Catholics of Hippo Regius.⁹¹ Augustine does not seem to refute a specific Donatist work, though in some places he refutes objections attributed very generally to Donatists.⁹² The recollection of his previous refutations of Petilian's letter – the *Letter to the Catholic brothers* refers

83 See below.

84 See about *C. Litt. Petil.* 1, Augustine, *C. Litt. Petil.* 2.1.1: 'primis partibus epistulae Petiliani quas tantummodo inveneramus satis nos respondisse meminerunt qui ea legere vel audire potuerunt'; about *C. Litt. Petil.* 2, Augustine, *Ep. ad Cath.* 1.1: 'in multorum enim manibus illam epistolam esse didicimus, qui etiam multa ex illa memoriter tenent...'.
 85 Augustine, *Retract.* 2.25: 'etiam ipsa epistula est ad nostros, sed ideo inter libros habetur, quia ceteri duo in eadem causa libri sunt'; see Ebbeler 2012, 178.

86 Augustine called it *litteras* (*C. Litt. Petil.* 3.1.1) or *epistula* (3.18.21, 22.26, 32.37, 41.49).
 87 After Monceaux 1901–23, 36–7.

88 Augustine, *C. Litt. Petil.* 3.41.49: 'postremo conclusit epistolam suos exhortans et monens, ne decipiantur a nobis, et nostros dolens, quod eos peiores quam fuerant fecerimus'.

89 See Moreau 1986, 808–15. Note also that s. Dolbeau 24 presents some close parallels with the Letter for its anti-Donatist material; see Augustine, *Serm. Dolbeau* 24.

90 Dolbeau 1998, 359 and the discussion in Hombert 2000, 190.

91 Augustine, *Ep. ad Cath.*, 'Augustinus episcopus dilectissimis fratribus ad nostrae dispensationis curam pertinentibus.'

92 Contrary to what is assumed in Congar 1963, 495.

to Book 1 and Book 2 of *Against the letters of Petilian*, but not to Book 3 – may indicate that he was continuing his polemic against Petilian here by other means.⁹³

Book 3 of *Against the letters of Petilian* is posterior to the *Letter to the Catholic brothers*⁹⁴ and precedes the four books *Against Cresconius* in the *Retractationes*.⁹⁵ A date of composition in 405 is most likely.⁹⁶ Book 3 is the response that Augustine wrote against Petilian's response to what is now Book 1. Augustine does not say how he got hold of the letter, but simply notes: 'I read your letter, Petilian, when I managed to read it.'⁹⁷ Petilian read only Book 1, the response Augustine wrote when he did not have yet a complete version of Petilian's letter.⁹⁸ The phrase 'when I managed to read it' may be a way for Augustine to acknowledge that Petilian's response was written some time earlier. Although in 404 he was not yet aware of it,⁹⁹ when he read it in 405, he may have assumed that it was written before his own Book 2, the response to Petilian's entire letter that he had composed by the end of 401.¹⁰⁰ The same delay can be observed with the response that a layman, the grammarian Cresconius, wrote against Augustine's Book 1 of *Against the letters of Petilian*. Indeed, Augustine writes at the opening of Book 1 of *To Cresconius*: 'Though I don't know when my works will be able to reach you, Cresconius, nevertheless, I did not despair much that they would, since even yours were able to reach me at some point however long it was after you wrote them.'¹⁰¹ The four books of *To Cresconius* were written after the anti-Donatist laws of Honorius from February and March 405 became known in Hippo,¹⁰² which is

93 See Moreau 1986, 810.

94 In *Ep. ad Cath.* 1.1, Augustine still invites Petilian to reply to his Books 1 and 2.

95 See Augustine, *Retract.* 2.25 (*C. Litt. Petil.*) and 26 (*C. Cresc.*).

96 See the discussion in Hombert 2000, 189–93.

97 Augustine, *C. Litt. Petil.* 3.1: 'legi, Petiliane, litteras tuas, quando legere potui'.

98 Augustine, *C. Litt. Petil.* 3.1: 'quos aestus passus es, quanta cordis tempestate fluctuasti, cum legisses ea, quibus parti epistulae tuae, quae in manus meas tunc venerat, quanta potui brevitate ac perspicuitate respondi.'

99 See Augustine, *Ep. ad Cath.* 1.1.

100 See above for the dating.

101 Augustine, *C. Cresc.* 1.1.1: 'quando ad te, Cresconi, mea scripta pervenire possent ignorans perventura tamen minime desperavi, quia et ad me tua, quamvis longe postea quam scripsisti, tamen quandoque pervenire potuerunt'.

102 Augustine mentions them in his notice about *C. Cresc.* in *Retract.* 2.26: 'hos autem quattuor libros quando scripsi, iam contra Donatistas leges dederat Honorius imperator'.

likely to have been in 406–7.¹⁰³ Augustine states that Cresconius responded to his Book 1¹⁰⁴ and seems to have assumed that the response was written much earlier.

It has been suggested that the reason for these delays is that Donatists kept their writings to themselves. Indeed, Augustine suggests so in Book 1 of *Against the letters of Petilian*. He knows at the time that he has only part of the original letter of Petilian and challenges the Donatists to produce the other part.¹⁰⁵ He also adds: ‘Let them answer anything they will; and if they do not want to send a letter to us, let them at any rate send one to their own party, only not forbidding that the contents should be shown to us.’¹⁰⁶ The complaint is different from the one we read in the opening of the same book or in Letter 43 about letters that remained unanswered.¹⁰⁷ However, it cannot be taken too seriously and Cresconius’ letter, as acknowledged by Augustine, was addressed to him.¹⁰⁸

In the *Retractationes* these texts are presented by Augustine not as theological treatises but as circumstantial polemical writings. He recalls the circumstances of writing and corrects a few points, but does not comment much about their content, if only to emphasise that the texts he refutes do not contain any new argument.¹⁰⁹ It should be noted also that none of these works were commissioned by the African bishops, but that lay people requested them from Augustine.

Members of his congregation also provided him with anonymous Donatist texts. Augustine thus lists in the *Retractationes* a book entitled *Against what Centurius brought from the Donatists* and explains: ‘A certain layman then brought to the church some arguments against us, dictated or written, in the form of a few, so to speak, testimonies, which

103 According to Hombert 2000, 195–200; the traditional dating is 405–6.

104 Augustine, *Retract.* 1.27: ‘grammaticus etiam quidam Donatista Cresconius cum invenisset epistolam meam, qua primas partes quae in manus nostras tunc venerant epistolae Petiliani redargui, putavit mihi esse respondendum et hoc ipsum scripsit ad me’. See Augustine, *C. Cresc.* 1.1.

105 Augustine, *C. Litt. Petil.* 1.25.27: ‘prodant etiam reliquam partem, ne forte ibi sit aliquid quod refelli non possit’.

106 Augustine, *C. Litt. Petil.* 1.25.27: ‘respondeant si quid volunt, et si nobis nolunt, saltem ad suos litteras mittant, quas tamen nobis occultari non iubeant’.

107 Augustine, *C. Litt. Petil.* 1.1.1 and *Ep.* 43.1.

108 Augustine, *C. Cresc.* 1.1.1: ‘his ergo litteris tuis quas ad me dedisti si non rescriberem, fortasse contumeliosum putares, quod autem rescribo, rursum vereor ne contentiosum putes’.

109 See below about *De Unico Baptismo*.

they think support their case.¹¹⁰ This description has been variously (mis) understood,¹¹¹ but ‘testimonies’ must refer to the practice of collecting passages from Scripture. This is how Augustine himself describes what he does in the *Letter to the Catholic brothers*.¹¹²

‘Testimonies’ is also an element of the title he gives in the *Retractationes* to another lost work. *The Book of Proofs and Testimonies against the Donatists* was written in answer to another anonymous Donatist text. Both the Donatist text and his response are lost, but Augustine describes the circumstances of their composition in the *Retractationes*:

At first I sent to them a promise of these same proofs so that, if possible, they might themselves demand them. After these promises had come into the hands of certain ones among them, there came forth someone or other to write against these proofs anonymously, thereby admitting that he was a Donatist as surely as if he were called one. I wrote another book in response to him. I attached these documentary proofs to the same little book in which I had promised the same proofs, and I decided that one book should be made of both.¹¹³

An entry in the *Indiculum* seems to match this text and adds that the Donatists were from the city of Moxor in Numidia.¹¹⁴ This book and the documents annexed to it were short enough to be displayed on the wall of the former Donatist church in Hippo.¹¹⁵

There is another such short work described in the *Retractationes*: ‘When I saw that, because of the difficulty of reading, many persons

110 Augustine, *Retract.* 2.19: ‘attulit ad ecclesiam quidam laicus tunc eorum nonnulla contra nos dictata vel scripta in paucis velut testimoniis, quae suae causae suffragari putant’.

111 *Dictati* is understood as spoken and the reference to the *testimonia* missed both in Bardy 1950, 485 and Bogan 1968, 154.

112 For instance, Augustine, *Ep. ad Cath.* 7.19: ‘si de omnibus prophetis ecclesiae praesignatae, quam sicut legimus cernimus, testimonia colligere in hanc unam epistolam velim’; see also Augustine, *C. Ep. Parm.* 2.14.32 (n. 55 above).

113 Augustine, *Retract.* 2.27: ‘Et primo ad illos eadem promissa direxi, ut ipsi ea si fieri posset exposcerent. Quae cum venissent in eorum quorundam manus, nescio quis extitit qui suo nomine tacito contra haec scriberet, ita se confitens Donatistam, tamquam hoc vocaretur. Cui ego respondens alium librum scripsi. Illa vero documenta quae promiseram eidem libello quo ea promiseram iunxi et ex utroque unum esse volui ...’.

114 *Indiculum* 6.10 with the correction of De Bruyne 1931, 317–9. The reply gets its own separate entry in the *Retractationes* (2.28).

115 Augustine, *Retract.* 2.27: ‘eumque sic edidi ut in parietibus basilicae quae donatarum fuerat prius propositus legeretur’.

were being hindered from learning to what extent the party of Donatus lacks reason and truth, I composed a very brief little book.¹¹⁶ Its objects are the Maximianists, but it is also lost.¹¹⁷

The last anti-Donatist work written shortly before the Conference of 411 was composed in similar circumstances.¹¹⁸ A friend of Augustine, one Constantinus, otherwise unknown,¹¹⁹ had received from a Donatist priest a short text entitled *On the One Baptism*.¹²⁰ At the time, Augustine does not seem to have thought it relevant to identify the author of the text. It is only in the *Retractationes* that he mentions the attribution to Petilian.¹²¹

Shaw seems to consider the shorter texts, in particular those refuting anonymous works, as instruments in a 'war of pamphlets', and to set them apart from the other anti-Donatist works of Augustine. He thus mentions in such a context the *Against what Centurius brought from the Donatists* and *The Book of Proofs and Testimonies against the Donatists*.¹²² It is true that these two works, as well as *A warning to the Donatists regarding the Maximianists*, are qualified as *libelli* in the *Retractationes*.¹²³ However, they are also listed as books (*libri*).¹²⁴

116 Augustine, *Retract.* 2.29: 'cum viderem multos legendi labore impediri a discendo, quam nihil rationis atque veritatis habeat pars donati, libellum brevissimum feci'.

117 Another lost treatise on the Maximianists is listed in the *Retractationes* after *On the Merits and Forgiveness of Sins* and therefore dated to 412. Augustine explains that this book was 'extensive', not 'a very short one as previously'.

118 Augustine, *Retract.* 2.34; it is listed in the *Retractationes* after the entry dedicated to *On the Merits and Forgiveness of Sins*, securely dated to 411–2, but the arguments of De Veer 1964, 35–8, for a composition before the Conference have been widely adopted.

119 Constantinus in PCBE 1.

120 Augustine, *Un. De Bapt.* 1.1: 'proinde sermonem de unico baptismo ab eis compositum, a quibus baptismus iteratur, quem mihi, cum in rure simul essemus, a nescio quo Donatistarum presbytero acceptum dedisti atque ut ei responderem multum petisti ...'.

121 Augustine, *Retract.* 2.34: 'eodem tempore librum de unico baptismo amicus quidam meus a nescio quo Donatista presbytero accepit, indicante quod Petilianus episcopus eorum Constantiniensis eum scripserit'.

122 Shaw 2011, 433–5.

123 Augustine, *Retract.* 2.19, 2.27 and 2.29.

124 See, for instance, Augustine, *Retract.* 2.19: 'Contra quod attulit Centurius a Donatistis liber unus. Cum adversus partem Donati multa crebris disputationibus ageremus, attulit ad ecclesiam quidam laicus tunc eorum nonnulla contra nos dictata vel scripta in paucis velut testimoniis, quae suae causae suffragari putant; his brevissime respondi. Huius libelli titulus est contra quod attulit Centurius a Donatistis.' It is also the case with the other two entries, 2.27 and 2.29.

The length, indeed, is relevant to Augustine in the case of the *Warning*. He explains in the *Retractationes*:

When I saw that, because of the difficulty of reading, many people were being hindered from learning to what extent the party of Donatus lacks reason and truth, I composed a very brief little book. In this, I thought that these persons should be warned regarding the Maximianists alone; and that, because of the ease of copying it, it could come in the hands of more people; and, because of its brevity, it could be committed to memory more easily.¹²⁵

The *Warning* thus shares the goals of the ABC song. In the case of the other texts, in the absence of an explicit indication on the part of Augustine I wonder whether we should not consider them more generally – and maybe at the same time – as part of the effort to abundantly supply the polemics, as Augustine describes in *On the One Baptism*.

Indeed, in the Preface, Augustine reports that he complies with the request to refute the Donatist text even though there seems to be no new argument in it. He thus explains that it is not pointless to refute over and over the same arguments, ‘for the sake of abundant polemics, so that a rare text does not come only in the hands of the diligent people, but that out of many texts one at least arrives in the hands of even the more negligent ones.’¹²⁶ Here, again, there is some allusion to the difficulty in circulating these texts. However, Augustine also justifies this new treatise ‘for the sake of the slower minds of those who think that something else is said when they read it said in a different way.’¹²⁷ A similar concern is expressed in Book 2 of *Against the letters of Petilian*, where Augustine thus justifies the need to refute the whole letter:

not that he says anything new in it, to which answer has not been already made in many ways and at various times; but still, on account of the brethren of slower comprehension, who, when they read about something somewhere, cannot always refer to everything that has been said upon the same subject, I

125 Augustine, *Retract.* 2.29: ‘cum viderem multos legendi labore impediti a discendo, quam nihil rationis atque ueritatis habeat pars Donati, libellum brevissimum feci, quo eos de solis Maximianistis admonendos putavi, ut posset facilitate describendi in manus plurium pervenire, et ipsa sui brevitae facilius commendari memoriae’.

126 Augustine, *Un. De Bapt.* 1.1: ‘propter ipsam disputationum copiam, ut non solum ad diligentes res rara perveniat, sed quodlibet ex multis in manus etiam neglegentioris incurrat’.

127 Augustine, *Un. De Bapt.* 1.1: ‘propter eorum ingenia tardiora, qui putant aliud dici, cum aliquid legunt aliter dici’.

will comply with those who urge me by all means to reply to every point, and that as though we were carrying on the discussion face to face in the form of a dialogue.¹²⁸

He also insists on the need to refute every single argument in *To Cresconius*. At the end of Book 2 he writes that he probably wrote more than enough for refuting Cresconius' error, but that he does not want to appear to have neglected any passage. As he explains at the beginning of the following book, 'There are many – and I ought to be serving them – who do not think that all arguments have been refuted if they are not treated completely each in turn and in their place.'¹²⁹

Thus I would resist the temptation to speculate too much about lost works and would rather emphasise the common features shared by all the texts described in this section. In his war of words Augustine seems to have been torn between two imperatives: refuting every single argument on its own terms so that everyone could understand, and writing sufficiently short pieces that they would not demand too much effort to be read. Both imperatives set them apart from the two theological treatises written in 403–4.

Conclusion

This chapter shows that we should not put too much weight on the so-called ignorance of Augustine regarding Donatism before his ordination in spring 391. The level and nature of his written engagement with the Donatists varies more with the changes in the strategy of the African bishops than with his own awareness and knowledge about the controversy. The new chronology of the anti-Donatist works thus ties *Against the letter of Parmenian* and *On Baptism* to the immediate preparation of the intense Catholic lobbying of the imperial court for qualifying Donatism as a heresy rather than a mere schism. Besides these two theological treatises, there is a

128 Augustine, *C. Litt. Petil.* 2.1.1: 'non quia ille novum aliquid dicit, cui non iam multis modis et saepe responsum est; sed propter tardiores fratres, qui ea quae alicubi legerint ad omnia paria referre non possunt, ita morem geram eis qui me omnino ad singula respondere compellunt, ut quasi alternis sermonibus in praesentia disseramus'.

129 Augustine, *C. Cresc.* 3.1.1: 'multi sunt, quibus servire nos convenit, qui omnia depulsa esse non putant, nisi locis suis etiam singula pertractentur'.

great number of more circumstantial polemical writings, which seem to be spread consistently over the years preceding 411. The chronology of the lost works is delicate, as it relies only on the order in which they are listed in the *Retractationes*. Studies, however, have shown that this order should not be considered as a necessarily reliable indicator unless it can be confirmed by some other evidence within the texts themselves. What this chapter reaffirms, moreover, is the representation of Augustine as the official writer of the African church during the Donatist controversy. There is no trace of works written by his fellow bishops or by lay Catholics. The written engagement of the Donatists seems to be more varied in this respect, though Petilian played a role not incomparable to that of Augustine.

TRACING THE DONATIST PRESENCE IN NORTH AFRICA: AN ARCHAEOLOGICAL PERSPECTIVE¹

Anna Leone

Donatism has long been the subject of debates that focus primarily on the nature of the movement, its importance, its role (as representative of the ‘African Church’),² its relationship with the Catholic tradition and its connection to the Patristic Authors. As often happens in studies on North Africa, the research has been driven by the large amount of rich textual evidence, with little attention paid to the material culture of Donatism and its archaeological traces. This lack of interest is justifiable, as research into the presence of Donatism archaeologically has proved very difficult and rarely able to go beyond speculation. There are two distinct reasons for this: the very nature of Donatism makes its buildings indistinguishable from Catholic ones; and, if there ever was such a distinction, the reappropriation of these buildings by the Catholic church has nearly eradicated any remaining evidence. In the past a few non-systematic attempts at interpreting the ‘archaeology of Donatism’ were made, with most scholars finding conclusions difficult to draw.

- 1 I would like to thank Ralf Bockmann, Jonathan Conant, Cam Grey, Richard Miles, Éric Rebillard, Bruno Pottier and John Whitehouse for the useful comments and bibliographical suggestions. Gratitude is also due to Christopher Boyd, who edited the English text.
- 2 See on this Frend 2004; more recently the same topic has been readdressed by Pelttari 2009. The debate, more on the nature of the movement, has focused on defining the movement itself. Brent Shaw (1995), for instance, highlights the fact that at some point the Donatist Church was the most important in north Africa and therefore would have been better defined as the African Church. The point in fact appears more complicated and it would be necessary to consider the movement from a geographical/provincial perspective. Overall the data from this paper seem to indicate a substantial predominance of the movement in some regions. This paper does not aim to enter into the debate on the definition of the movement: a full consideration of the study of the movement opposing the *Catholica* has been carried out exhaustively and comprehensively by Rossi (2013, 17–83). The word ‘Donatism’ will be here used for convenience.

This chapter, therefore, aims to gather together for the first time the sparse, patchwork archaeological evidence that can be linked to the Donatist movement with the aim of answering the question: ‘Is there an archaeology of Donatism?’, as well as defining possible trends and directions for new research on the subject. It should be made clear at the outset that this operation will not be simple and the result is likely to be rather incoherent. The nature of the data, which come generally from non-stratigraphic excavations or occasional finds during the colonial period between the end of the nineteenth century and the beginning of the twentieth century, exacerbates the difficulty of this task. These earlier excavations often gleaned biased information by attempting identifications without clear evidence to support the hypotheses. This attitude, combined with the lack of meticulous attention to excavation detail, makes the task of working with these findings particularly problematic. The largest part of the data refers to inscriptions and, in several cases, attribution to Donatism can be only speculation. In a few instances it appears that these documents can be linked to specific churches. The aim, however, is not to collate and discuss the full catalogue of Donatist inscriptions, as this task has already been accomplished.³ The focus will, rather, be on the churches, while a latter portion of the paper will consider some evidence that could be attributed to funerary practices. This chapter will also reconsider the regional distribution of the Donatist bishops, based on the Acts of the Conference in Carthage in 411 CE, and the distribution of the bishoprics in the landscape. The bishoprics have been located on maps (see Figures 1–6) that have been elaborated upon using Salama’s map (in its new edition⁴) and integrated with data from the *Barrington Atlas*.

In 1952 William Frend tried to identify a few possible Donatist churches found during excavations at the end of the nineteenth century and the beginning of the twentieth.⁵ We will begin by examining Frend’s arguments and then move on to a consideration of other ideas.

3 Monceaux 1901–23, 4 and more recently Y. Duval 1982, 1 & 2.

4 Desanges et al. 2010.

5 Frend 1952. A more recent work, not specifically focusing on archaeological evidence, but more the presence of a martyr cult, has been recently conducted by Matteo Dalvit (2013), in his PhD thesis at the University of Padova.

Was Donatism a Rural Movement?

The nature and organisation of the North African territories were so diverse that any research requires a detailed regional approach.⁶ Frend discussed the regional distribution of the Donatist movement on the basis of the data from the Council of Carthage in 411.⁷ This data are difficult to interpret. For instance, it is sometimes difficult to distinguish between rural and urban bishoprics based on the toponym.⁸ The densest distributions of Donatist bishoprics were in the native *Castella* in Numidia (such as *Castellum Tingitanum*); their presence was also unique in Tripolitania, and in the inland part of Byzacena and Mauretania Sitifiensis.⁹ Frend makes two important points about these data: that the Donatist presence is weak in large urban settlements,¹⁰ and that Donatists also controlled settlements near the frontier zone.¹¹ The superiority of the Donatist bishops in rural contexts is not clearly apparent when the whole of North Africa is considered. Putting aside the territory of Numidia for the moment, which represents a unique case, urban bishops across Proconsularis (highly urbanised) and Byzacena appear to have been distributed almost evenly – i.e., one Catholic bishop corresponding to one Donatist bishop in each city. Therefore, both the presence and the relative power of each were probably somehow counterbalanced.¹² It is, however, difficult to say whether the urban nature of the bishoprics on both sides in these two regions is connected to the power of the churches or to the existing landscape organisation. Proconsularis, for instance, in the Mejerda Valley, was one of the most urbanised parts of the Roman Empire and rural areas

6 This point also emerges very clearly in the work done by Dossey 2010 on the contrasts between different regional organisations.

7 See on this also Lancel 1975, 155.

8 See on this Lancel 1972–91, 139–40.

9 On this see also Lancel 1972–91, 132–4. For a general discussion on the number of bishops see also Shaw 2011, 807–11. For some discussion on the *castella* as bishoprics see Leone 2011–2.

10 Frend 1952, 52 points out that where Donatists were present they chose to have a more moderate attitude.

11 Frend 1952, 51–2.

12 The same point has already been made by Lancel 1972–91, 132–4, but it has not received the attention it deserved. Lancel pointed out that the idea that Donatism was primarily a rural movement came from the interpretation of Alypius, but he probably meant that there were more Donatist bishops in rural areas than Catholic ones (142–3) and not that the Donatists were primarily present in the countryside.

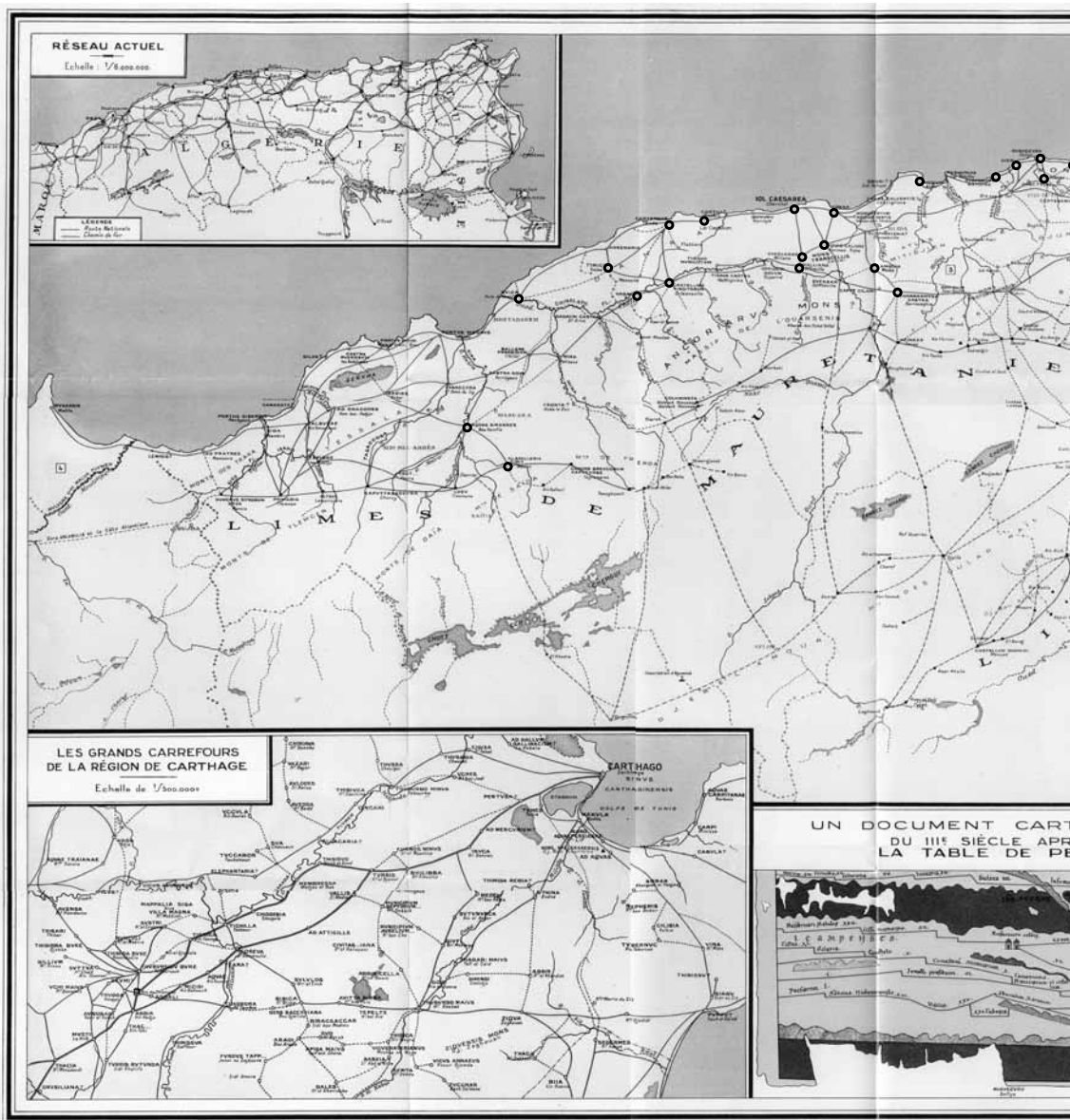
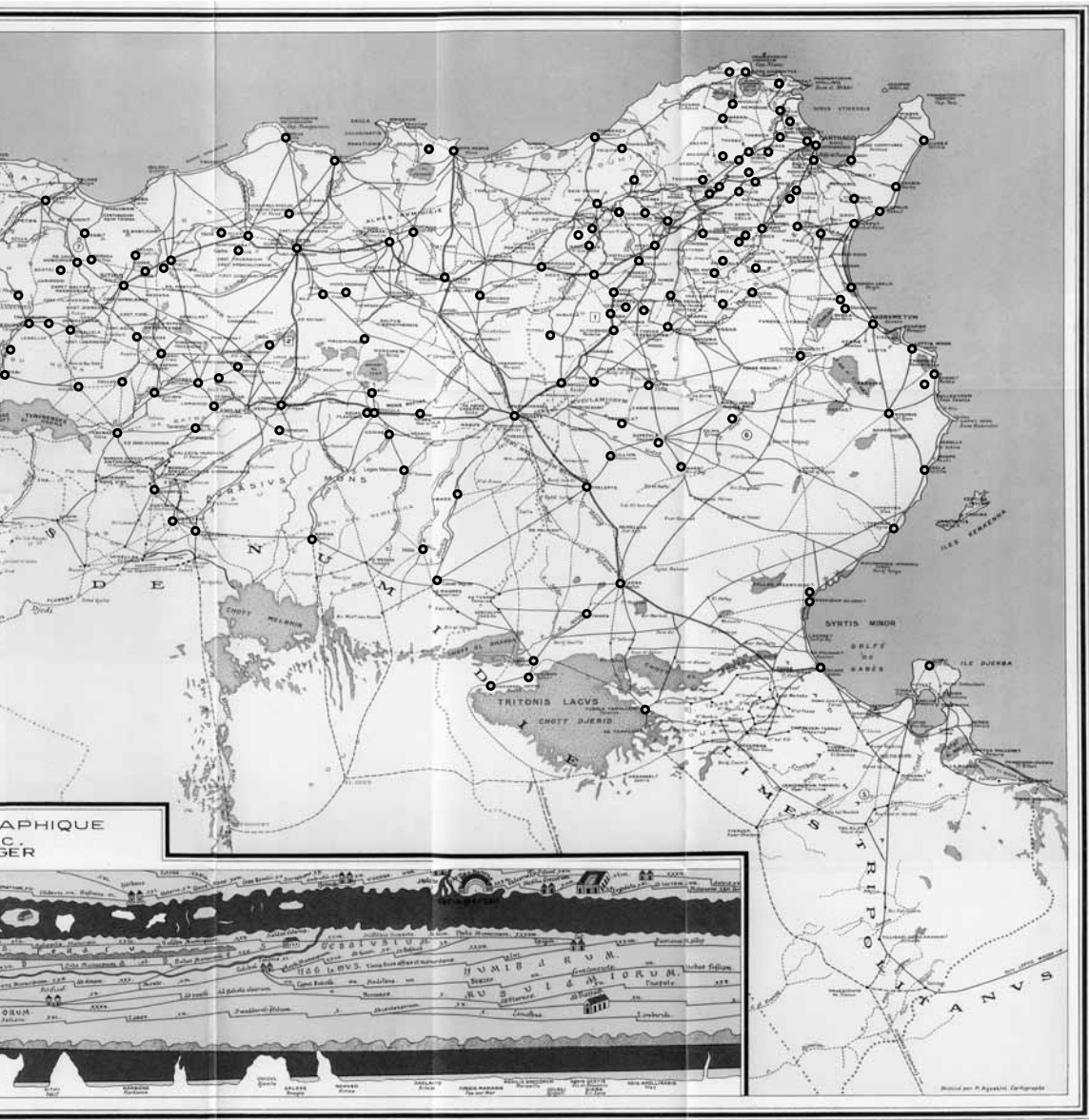
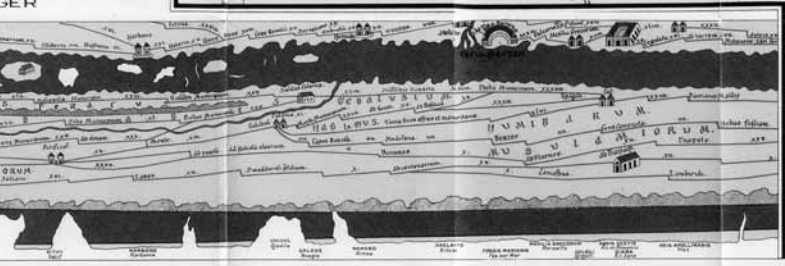


Figure 1. General map of North Africa with the location of Donatist Bishops (elaborated from Salama's map)



GEOGRAPHIQUE
C. GER



Revised par P. Agazzi, Cartographe

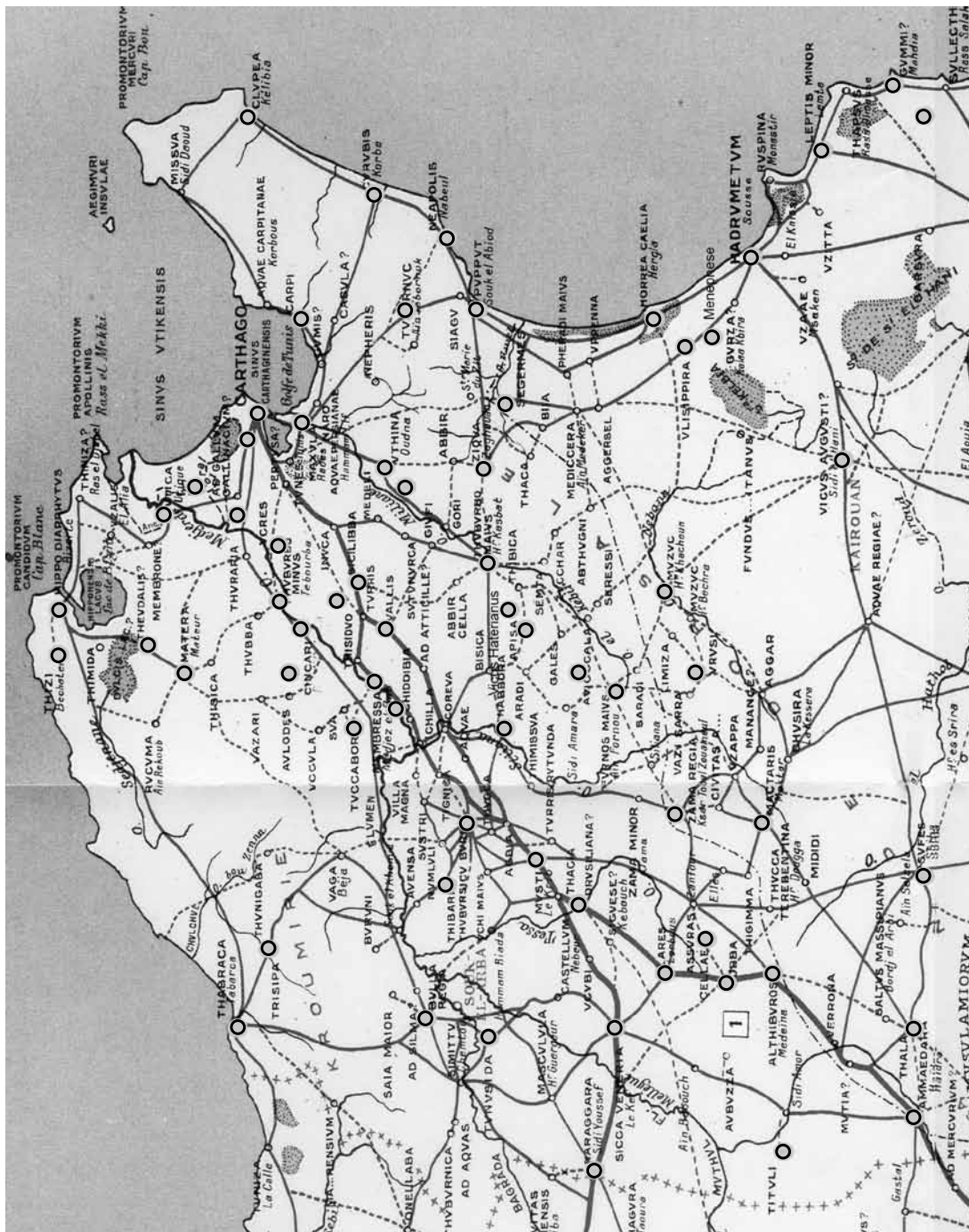
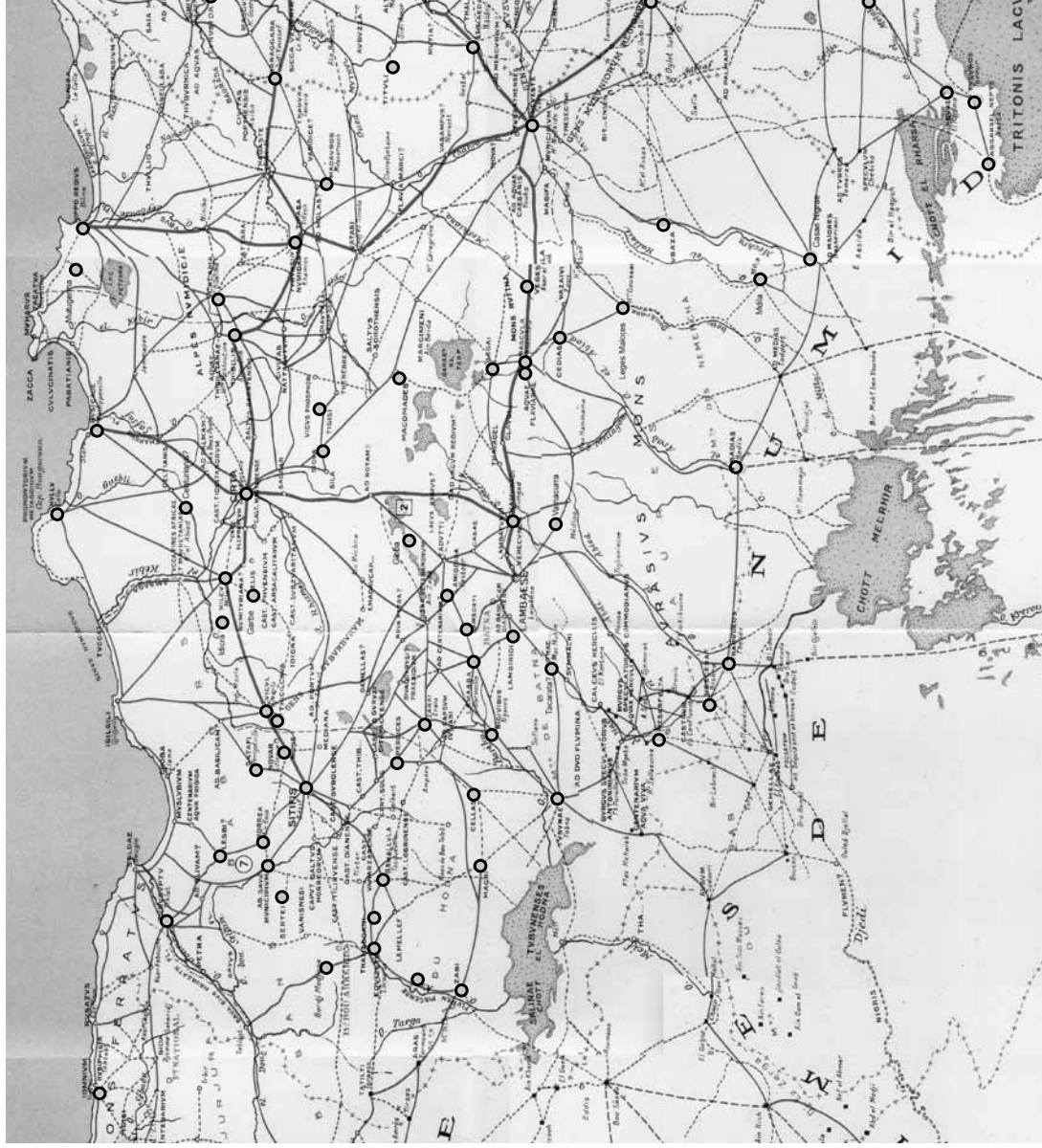


Figure 3.
Map of the
North-East
with detail
of the
Mejerda
Valley
(elaborated
from
Salama's
map)

Figure 5.
Map of Central
North Africa
(detail)
(elaborated from
Salama's map)



were limited.¹³ The role of the bishops and the nature of the religious conflict may have been quite different there than in rural areas of Numidia, and may have left fewer apparent traces.¹⁴

Numidia is a unique case because it is the place where the movement started and where Catholicism appears to have suffered the most. For instance, council acts record a decrease in the number of Catholic bishops in Numidia in the years prior to the council in 411 CE. Of the North African regions, Numidia also had the strongest nomadic connotation and was predominantly rural, with a limited number of urban settlements.¹⁵ This intensive distribution of Bishops across rural areas may reflect the fact that Donatist clergy and bishops may have had an important role in supporting economic activities too, especially in Numidia. The majority of rural markets existed on large estates¹⁶ and those located on the borders between different regions were particularly important.¹⁷ Donatist bishops were present on *fundi* and estates, itself a point of discussion at the start of the Council of Carthage in 411 CE, where it was pointed out that these leaders were not bishops of urban sees and their power was inferior.¹⁸ It is perhaps not the case that the supposed evidence of Donatist presence on estates is recorded archaeologically in Numidia and Tripolitana, two provinces that were organised very similarly, with few cities and large, strong local and nomadic communities. At Henchir Gosset an olive press bearing the

13 For a more detailed consideration of the bishoprics in Proconsularis and how they changed through time see Leone 2011–2.

14 Lancel 1972–91, 154, 165–6. The Donatists from Numidia did participate in large numbers in the conference in 411 in order to make a point about the power of their province.

15 Lancel 1972–91, 162.

16 See for consideration on the location of the *nundinae*: Shaw 1981 and Fentress 2007. For some discussion on the connection between the Donatist cult (and in particular the Circumcelliones) see Rossi 2013, 310–2.

17 Estates under the control of the Donatist bishops were also on the borders, according to the Council in 411 CE. See Shaw 1981, 40.

18 For a discussion on this point see Frend 2002, 613. See also Leone 2011–2. The Catholic Church, from the 4th century onward, was progressively acquiring lands and properties. The phenomenon of members of the clergy being directly involved in the management of lands occurred probably at lower levels (owing to the more limited availability of lands) in Proconsularis. This is the case of the Bishop Crispinus mentioned by Augustine, who complained because the emperor leased his lands to a Donatist bishop (for further consideration and bibliography see Leone 2007a, 100).

inscription *Bonis Bene* was found,¹⁹ and in Tripolitania a lintel was found at the entrance of a fortified farm with an inscription connected to the Donatist cult.²⁰ Moreover, texts attest to the presence of two bishops, one Catholic and one Donatist, within the same large estate, who were probably both represented by a church and supported two parallel communities by facilitating markets and exchanges.²¹ It is necessary to consider to what extent people living on these estates were aware of or fully understood the real differences between one church and another, or whether belonging to one religious community was dictated by personal convenience and habit or by the real understanding of religious differences.

Returning to Frend's second point regarding the presence of bishoprics on the borders between different regions, it is necessary to point out that Donatist bishoprics were in fact everywhere, in urban and rural contexts, but (as shown in Figure 1) were particularly located along the major connecting routes. They were not in inland territories, but were, rather, well distributed along the North African trade network.

The Continuity of Religious Practices as an Expression of Local Identity: The Cult of Saturn

Since Donatism was not a principally rural phenomenon, at least outside Numidia, it is necessary to reconsider Frend's suggestion that the wider distribution of Donatism in rural areas (where the majority of the population spoke Libyco-Punic) indicates that the movement developed as an expression of local ethnicity. One of his arguments was founded on the existence of

19 *CIL* VIII, 2046. See Frend 1952, 56. It is unclear whether the inscribed block was reused here, or was *in situ*. The site was characterised by a basilica and olive presses. See Duval 1973, 1142 and Duval 1993, 632.

20 See below and n. 28. Data are currently too scant to say whether these inscriptions were found in their original locations or if they were reused and relocated at some point, making it difficult to discuss the evidence on the merits of its location.

21 For instance, the case of Melania. She had a possession near Thagaste, which had several artisans and two bishops: (*Vita Melaniae*, 21, 16) 'dedit autem et possessionem multum prestantem redditum, quae possession maior etiam erat civitatis ipsius, habens balneum, artifices mulos, aurifices argentarios et aerarios: et duos eiscopos, unum nostra fidei et alium haereticorum'. See, on Melania, Giardina 1988. On the economic role of the bishops see Leone 2006.

a strong local identity witnessed, for instance, by the connection between the cult of Saturn – Baal Hammon in its Roman personification – and the Donatist religious practice of ‘whitening altars’. Frend based his point on a single inscription found in Hadjeb-el-Aioun (Byzacena) that ‘indicates that the whitening of the cult objects forms the part of the [Donatist] ceremony’.²² In his reconstruction the same practice was confirmed by other ancient sources.²³ In particular, the text refers to ‘*dealbavit petra[s] S[aturni]*’, which Frend interpreted as proof that the practice of whitewashing altars (that he interpreted as attested for the Donatist cult) was connected to or continued the cult of Saturn. It appears, however, that this practice was fairly common in the Roman period in connection with many cults, as, for instance, the cult of the *Liber Pater*.²⁴ Moreover, *albare/dealbare/opus albarium* is present also in contexts where it did not have any religious meaning, but simply represents stucco decoration or plastering for the refurbishment of buildings.²⁵ Similarly, the text from Hadjeb-el-Aioun mentioned by Frend probably refers to the plastering of a monument or an altar dedicated to Saturn, and there is no clear proof that it indicates the existence of a specific cult practice connected with the local cult of Saturn. Frend instead suggested that the inscription dedicated to Saturn

- 22 Frend 1952, 101. For the inscription see *CIL* VIII, 23156 and *BCH* 1906, ccxxv. *Pro Salute P(ublii?) et Passeni Liberatorum que [eorum Victo?]rin us [libertus? eo] r(um) dealbavit petra[s] S[aturni] J.* It is dated to the Imperial period. Frend 1952, 78 ff identified the cult of Saturn as a typical local cult, whose characteristics and practices could not be easily linked to the Roman tradition. He suggests (83) that the cult of Saturn seems to have almost completely disappeared by the Severan period.
- 23 Optatus, *De Schism. Donat.* 4.6, 40–1. ‘In loco Octauensi occisi sunt plurimi et detruncati sunt multi quorum corpora usque in hodie per dealbatas aras aut mensas potuerunt numerari.’ Leglay 1966, 349 also mentions Augustine, *Civ. Dei* 7.26, 207 where it is said: ‘... qui usque in hesternum diem madidis dapillis facies dealbata ...’, although also in this case there is no reference to the presence of a specific cult.
- 24 See, for instance, the inscription from Henchir Biniana, dedicated to the *Liber Pater*, which refers to ‘... et opera albari exornavit’ (*CIL* VIII, 11151), and mentions the action of *dealbare* in association with the dedication of statues. Near Capua an inscription dedicated to Jupiter indicates: ‘Hanc aram ne quis dealbe’, *CIL* X 3785 = *CIL* I² 688. The inscription is probably dated to the late Republican period. In a civic context, there is the inscription from the Capitolium of Brescia which makes reference to the ‘Opus Albarius’. See on this Zevi 2002, in particular 44–5.
- 25 In catacombs it is very common to find use of *Opus albarium* (characterised by plastered roof tiles, as described by Vitruvius) to create white surfaces which are then decorated and inscribed (see, for instance, Nuzzo 2000).

refers to a typical custom characterising the cult of Baal Hammon/Saturn and linked this to the *dealbatas aras aut mensas* mentioned by Optatus of Milevis [*Origines* iii, 4.6] when referring to Donatist graves. In this case, however, the reference is to burials. In fact, *Taurinus* suggests that *in loco Octausensis*, an unidentified place in Numidia, people would have gone to the market where the *circumcelliones*' burials were, to find out how many people had been killed; according to the text, this was still possible to do by counting the *arae* and the stones that were *dealbatae*, or plastered. The text appears, therefore, to make reference to the number of graves that had been plastered on their external surfaces. The presence of plaster, however, may have been determined by the need for decorating and inscribing the funerary monument, as was very common in catacombs, or simply for hygienic reasons.²⁶ It is also possible that this simply meant that these tombs were whiter than others, as more recent. The weakness of the data proving the existence of this religious ceremony in the cult of Saturn makes the hypothesis, at the moment, unsustainable.²⁷ Any connection between the cult of Saturn and its practice is at best tentative; it is similarly difficult to accept Frend's claim that the presence of Donatist bishops in the countryside is related to their having acquired the role of or replaced the priests of the cult of Saturn.²⁸ In addition, the identification of Saturn with local traditions has also been recently challenged by Christophe Goddard through the reconsideration of all the inscriptions collected by Marcel Leglay. Goddard argues that the cult in Africa is in fact a good example of successful syncretism rather than the result of a survival of a local religious tradition.²⁹

26 This suggestion has also been made by Leglay for the cult of Saturn (Leglay 1966, 350 also suggests that the practice of *dealbare* was due to sacrifices involving blood, after which a substantial cleaning was required). On cult practices in the Christian world from the 4th to the 7th century see De Santis 2008, 4531–54.

27 Frend, in supporting his idea, refers to some excavations carried out in Numidia where there is evidence of relics found below the altar, covered by slabs that had been plastered. For some discussion of this evidence recorded in a few churches see Bérthier 1942, 194–5. In this case as well it is impossible to prove an existing ritual link, as these slabs too may have been plastered with the aim of being inscribed and decorated. See Frend 1997, in particular 603.

28 Frend 1952, 97, 101–2; Brisson 1958.

29 For a detailed reconsideration of all the data and the inscriptions see Goddard 2010.

Buildings and Inscriptions: A Difficult Connection

Donatist churches have been identified primarily on the basis of the reading of inscriptions and, in particular, on the attribution of a few expressions that have been singled out as distinctive to the Donatists.³⁰ In many cases inscriptions are not easily linked directly to buildings; they can be attributed to old excavations and were often found in different parts of religious structures. Monceaux makes a list of parts of buildings (mainly pilasters or lintels) bearing the inscription: '*Deo Laudes*', *Bonis bene*, *Mundus Munditia*.³¹ It has not been possible in every case to connect these inscriptions to the original building, as it is not specified whether these findings were *in situ* or reused somewhere in later structures. It is arguable that, if they were clearly distinguishing a Donatist church, these inscriptions were removed from their original locations or hammered and chiselled when the Catholic church repossessed these buildings. Almost all of the identified inscriptions are located in the same region, Numidia, with only two exceptions: one in Sitifiensis and the other in Tripolitania. In Numidia they have been identified at Henchir Gosset (south-west of Thebessa – on an olive press, as mentioned above); Aïn Mtirschn (region of Khenchela, or ancient Mascula); two pilasters at Khenchela, probably from nearby settlements;³² Henchis Bou Said;³³ Djemma Titaya (located between Aïn Beda and Khenchela);³⁴ Bir er Sed (south-west of Thebessa);³⁵ Medfou (between Aïn Beda and Constantine); Dalaa (between Mascula and Theveste);³⁶ and Henchir el Atrous (south-east of Thebessa, near Telljiden).³⁷ The inscription recorded in Tripolitania presents a variant,

30 Monceaux 1912.

31 Typical expressions that have been identified as pertaining to the Donatist church were: *Deo Laudes* (Monceaux 1912, 439–43), *Bonis bene* (Monceaux 1912, 456), *Mundus Munditia* (Monceaux 1912, 453–4). Monceaux himself, however, points out that some inscriptions are indistinguishable (1912, 438).

32 Monceaux 1912, 440. The two pilasters from Khenchela are decorated with roses, circles, fishes and doves.

33 Monceaux 1912, 441: a Constantinian monogram, above *Deo Laudes*, and on the right and left sides a chrism flanked by BB = *B(onis) B(ene)*.

34 Here the inscription *Deo Laudes* is preceded by '*In nomine [Ch]risti Fi[li] (Dei)*' (Monceaux 1912, 441).

35 *Deo Laudes Dicamus* (Monceaux 1912, 441).

36 *Deo Laudes Agamus* (Monceaux 1912, 441).

37 An inscription was found in the remains of a small building with pilasters. The

and reads *Deo Domino*.³⁸ The same expression is from the inscription mentioned above, found on the lintel at the entrance of a farm excavated by Goodchild at Henchir Msuffin in Tripolitania.³⁹ Monceaux suggested the presence of a Donatist baptistery at Sillègue (Novar) in Sitifiensis, based on the same formula in the inscription.⁴⁰ The geographical distribution of these epigraphic documents raises important questions: why are these inscriptions only recorded in Numidia, in one case in Sitifiensis and, with a variant, in Tripolitania? Have they been overlooked during excavations in other geographical areas or are they distinctive to specific regional communities? Did the Donatists insert unique elements into only their Numidian or Tripolitanian churches? Unfortunately, it is impossible to answer these questions with any certainty owing to the nature of the data outlined above. However, it seems important to stress here the overlap between the distribution of these inscriptions and the organisation of these primarily rural provinces, with strong local and nomadic communities. The simplest explanation is that this practice was common primarily in these regions, although future research focusing specifically on this aspect is needed. It is also possible that the evidence comes from the regions where the superiority of Donatist bishops is recorded (especially Numidia), where this church was more powerful and where it is likely to have left the only surviving traces.

Donatism and the Martyr Cult: Inscriptions and the Reappropriation of the Catholic Cult of Churches

The identification of Donatist churches has also been made on the basis of inscriptions found in churches that refer to Donatist martyrs. Problems with this approach may lie in the reappropriation of the churches by the Catholics, and therefore the removal of the evidence of the Donatist cult.

inscription is mostly erased, but it is possible to read *Deo Laudes* (Monceaux 1912, 441).

38 Vallis Rumia, *CIL* VIII, 10969: *[D]o[mi]ni [la]udes ca[n]a[mus?]* (Monceaux 1912, 442).

39 Frend 1952, 51, mentions that the site had been excavated recently and was unpublished: *Laudes Deo Domino*.

40 *Deo Laudes super a Nofvarensibus*, (Monceaux 1912, 442).

There are, however, a few cases in which, for various reasons, one might see surviving traces of the cult.

Three inscriptions have been identified that refer to three probable Donatist martyrs. The first, found in 1889, was reused in the pavement of a mosque at Tichilla (Testour); it is thought to have come from a church at Tichilla or from Basilica I in Thignica (Aïn Tounga). It mentions three young martyrs (*Santa Tres*: Maxima et Donatilla et Secunda) associated with Saint Stephen.⁴¹ The inscription was on a limestone slab similar to the slabs typically used to cover areas containing preserved relics, although in this case the text does not seem to refer specifically to the presence of relics. Maxima, Donatilla and Secunda were martyrs from Thuburbo killed in 304. Secunda is named alone, as *bona puella*. This refers to the tradition in which two girls (Maxima and Donatilla) were put to death, and the third one wanted to join them.⁴² It has been suggested recently by Matteo Dalvit that the martyr cult and *Passio* may have been acquired by the Donatist community as well in a version of the story in which Secunda committed suicide to reach martyrdom alongside her two friends. The inscription has been dated by Yvette Duval to the end of the sixth century or the beginning of the seventh century.⁴³ Dalvit suggests that the association with Stephen was a later addition, possibly connected to the reappropriation of the cult by the Catholic community. Stephen, in fact, was a proto-martyr hailing from Jerusalem, and his association would therefore link the cult tradition to the origin of the Catholic church.⁴⁴ This reading of the evidence is interesting and offers a plausible interpretation, although it is difficult to prove.

One of the most famous Donatist martyrs is Marculus and, with him, the martyrs of Vegesela. In the area of Ksar el Kelb (near Tebessa) a Donatist church was found which retained identifiable traces of this cult (Figure 7).⁴⁵

41 *CIL* VIII, 1392 (=14902), La Blanchère and Cagnat 1889, 372–4, Y. Duval 1982, vol. I, 32.

42 Y. Duval 1982, 1.33–4 and Delehay 1936, 296–300. It is important here to remember that the *Passio* was usually read during the Donatist liturgy; therefore, these variations in the narration could have a strong impact on the people attending the church.

43 See note above.

44 For some detailed consideration of the value and importance of Saint Stephen see Rossi 2013, 324–30. His relics were introduced to Africa in 416. The same point is also considered in Dalvit 2013, 22.

45 Y. Duval 1982, 1.158–9. The stone is now lost. The church was located around 100m north of a Byzantine fort. For further discussion of the Ksar el Kelb basilica in this collection see Miles, this volume, 261–3.

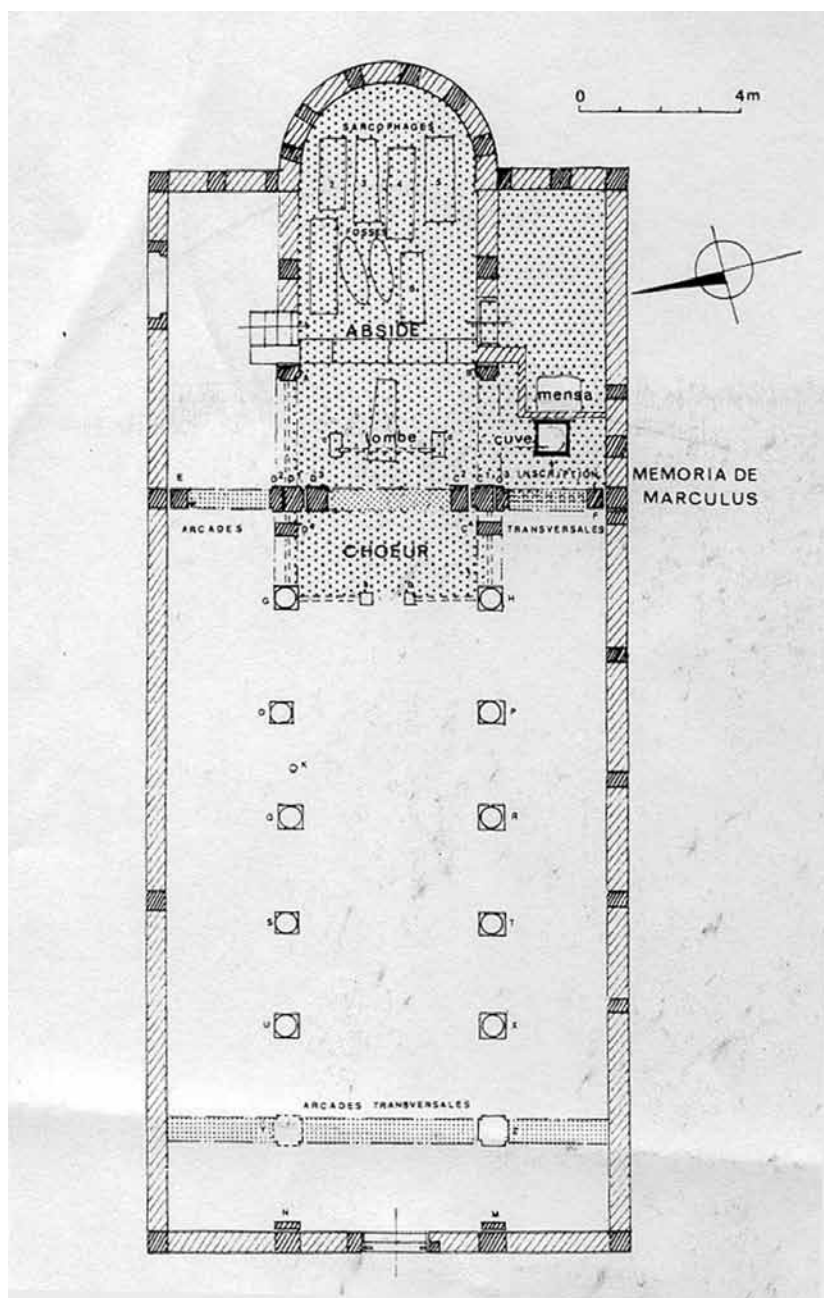


Figure 7. Map of the so-called Basilica of Marcus
(from Cayrel 1934)

The identification is based on the finding of a *memoria* at the end of the southern part of the building with the inscription: *Memoria Do/mni Marchuli*.⁴⁶ The *memoria* of Marculus was characterised by a hole inside which were found a few bones and pieces of glass, possibly the relics of Marculus himself.⁴⁷ Other inscriptions that preserve typical Donatist phraseology were found inside the church.⁴⁸ The basilica shows an irregular plan with a *mensa* isolated in a room near the grave; this may have been used for *refrigeria* on the grave of Marculus.⁴⁹ Because of the irregularity of the church and the location of the *memoria* Cayrel suggested that it was a later addition, without indicating any chronology.⁵⁰ It has been more recently proposed that this addition belongs to a phase during which the church was regained by the Catholic community. In this reconstruction the cult of Marculus, at one time very strong, could not be removed. On the other hand the *mensa*, used for *refrigeria*, and the practice associated with it was not well accepted by the Catholic church, which tried to discourage the practice by hiding it. This has also led to the suggestion that the Donatists continued to practice *refrigeria*, in contrast with the Catholics,⁵¹ although it has to be stressed that, if this were the case, the *mensa* could have been removed easily without walling it off. Without a clear sight of the structure and the stratigraphic relationship between different walls it is difficult to make any further comment on this interpretation.⁵² The wall may, in any case, have been a much later addition. A new interpretation regarding the cult and the presence of the relics of Marculus has been recently put forward which suggests that the addition of the *memoria* took place only shortly after the construction of the church and may have been related to the burials already present there.⁵³

46 The excavation is published in Cayrel 1934, 114–42. For the inscription see p. 134. A second phase of the excavation was carried out in the following year; see Courcelle 1936, 174.

47 For a description of the finds see Michel 2005, 95–104.

48 For instance: *Deo Laudes h(ic) omne dicamus*; see Cayrel 1934, 130–4.

49 *Refrigeria* were originally Pagan practices which extended to the early Christian community. In north Africa in particular became a common practice in the 3rd and the 4th centuries in connection with the martyr cult (see Rubio Navarro 2008). For a discussion on the changing nature of the use of *refrigeria*, also through archaeological evidence, see MacMullen 2009, 58–67.

50 Cayrel 1934, 130.

51 Dalvit 2013, 70ff.

52 The partition wall appears a lot thinner than the others and the excavators indicate the wall is ‘très mince’.

53 Dalvit 2013, 70.

The church in fact contains nine graves, all in sarcophagi; eight were in the apse, while another one was located under the altar. In the reconstruction proposed by Dalvit, the nine graves may belong to the nine friends of Marculus mentioned by the *Passio* that were killed in Vegesela.⁵⁴ The lack of stratigraphic evidence and the limited detail in the published plan unfortunately do not allow us to confirm this hypothesis; nevertheless, it is important to stress that the burial located under the altar may have been privileged. There appears to have been a hierarchy among the graves distributed inside the church, whereas the narration of the martyrdom does not seem to make a clear distinction among the companions from Vegesela.

A second possible *memoria* was identified in Timgad in a chapel located to the north of the Trajanic arch. The inscription is on a reused triangular limestone slab, possibly the foot of an altar.⁵⁵ The plan of the building in which it was found has not been published, and the letters of the inscription are very irregular. The inscription bears the text: '*B(onis B(ene) et Gaudet Pe/trus et Laza/rus rogo/te domine/ su(b) veni/ criste tu/ solus me/dicus sa/nctis et/ penitent/ibus (a)ma/re manib/[us] et pedibus De(i)*'.⁵⁶ The incipit of the text leaves little doubt that the inscription refers to the Donatist cult. The peculiarity of the text is in the phrase *Christus Medicus*, which Monceaux⁵⁷ explains as indicating the idea of Christ as a curator of souls.⁵⁸

In the Basilica of Uppenna (modern Henchir Chigarnia) is an uncertain identification of a *memoria* of Saturninus. Two inscribed mosaics were

54 The idea of the possible identification of the nine graves with the nine friends mentioned in the *Passio* is noted by Courcelle (1936, 182). Some doubts are advanced by Duval (1989), who points out the uncertainty of the identification of the Ksar el Keb with Vegesela. The different locations of burials in the church may suggest that one of them was privileged, but the excavator indicates that the location of the graves inside the church was probably determined by the presence of hard rock that forced the builder to change the original plan and locate the graves in the apse: see Courcelle 1936, 172.

55 Monceaux 1920, 75, although it seems an odd position for an inscription.

56 The inscription was partially published by Monceaux 1920, 76, then completed in 1924, 78–81. It has been fully published by Frend 1940.

57 Monceaux 1920, 77–8.

58 The recent work by Dalvit 2013, 53–4 goes a little further in the interpretation. Building on the hypothesis already made by Monceaux that the inscription makes specific reference to an African text, possibly a *Passio*, Dalvit suggests a connection with the Donatist martyr Devotus. In his *Passio* (PaDs 10) in fact it is possible to find correspondence with the idea of *Christus Medicus*.

found, the first of which was simple and characterised by the only partially preserved inscription in a frame:⁵⁹ *[Haec sunt/ nomina martirum? S]atur/[ninus, Bindemius, Sa]turnin/[nus, Donatus, Saturninus] Gududa/, [Paula, Clara, Lucilla, Fo]rtum, Iader,/[Caecilius, Emilius, Passi di]e IIII non(as) aug/[ustas, depositi VI id(uum) nov]embrium?*

A later mosaic (with the addition of the Saints Peter and Paul), located in the central nave of the church, bears a cross at the beginning and two lambs on either side of the inscription:⁶⁰ *Hec sunt nomina martirum Petrus/ Paulus Saturninus Presbiter./ Idem Saturninus Bindemius, Saturnin/us Donatus, Saturninus, Gududa,/ Paula, Clara, Lucilla, Fortun. (?) /Iader, Caecilius, Emilius. Passi die/ nonas Agustas depositi VI idu/s nobembres Gloria in esce/lsis deo et intera pacs ominibus?*

The Donatist identification of the church has been subject to discussion for quite some time and the issue is still unresolved. Duval points out that the inscription does not refer to the presence of relics;⁶¹ she also refutes a direct link with the Donatist martyr by pointing out that there are no elements which exclude the identification of Saturninus Presbyter with a local priest. Dominique Raynal returns to the identification of Saturninus twice⁶² and reaffirms his original idea that the mosaic in fact refers precisely to the presbyter mentioned in the Donatist *Passio*, the martyr of Abitina. If this is true, it is likely that the second inscription, which also bears Peter and Paul, was displayed after the reappropriation of the church by the Catholic community.⁶³ As in the case of Marculus, the cult of Saturninus would have been left in place owing to the popularity of the tradition in the region.⁶⁴

Raynal also refers to two other inscriptions (*memoriae*) pertaining to the cult of the martyrs of Abitina that probably mention the Donatist

59 Y. Duval 1982, 1.62–3; the second inscription was on the step:/.../tatis suae beatissimis marturibus. Raynal 2005b, 714–6 points out the relationship between the two mosaics, suggesting that the partially preserved one was then later replaced by the new, more decorated and more complex mosaic, with the addition of the Apostles Peter and Paul.

60 Y. Duval 1982, 1.64.

61 Y. Duval 1982, 2.684–91 and Y. Duval 1982, 1.66–7.

62 Raynal 1973, 33–72. The same issue has been considered more recently in Raynal 2005b. See also Farges 1883, 19–34, in particular 31–4.

63 Raynal 2005b, 759–60. He points out that if it was a local presbyter, it would not have been necessary to specify his title. The fact that the Presbyter is specified seems to indicate that this was the famous one. See also Monceaux 1912, 467–8.

64 For some consideration on this point see Rossi 2013 and Dalvit 2013, 40–1.

martyr Emeritus⁶⁵ as one of the principal confessors. The inscriptions were uncovered in Henchir Taghfaght (five kilometres west of Kenchela) and in Aïn Ghorab. Interestingly, both inscriptions refer to the Apostles Peter and Paul.⁶⁶ At Aïn Ghorab, the stone bearing the inscription was found in the remains of a square building each side of which was 20 metres in length (there was probably a church here that was destroyed for the building of a fort). It was originally interpreted as a *memoria*,⁶⁷ but it was subsequently suggested that the stone was found reused in a Byzantine fort.⁶⁸ The palaeography of the text indicates a chronology of the second half of the fifth century.⁶⁹ It is likely that the large slab was the lintel at the entrance dedicated to the martyr Emeritus, one of the martyrs of Abitina killed at Carthage in 304 CE. He is also mentioned in another inscription at Kenchela. Louis Leschi proposed that the inscriptions probably came from a *memoria* that he identified in the basilica approximately 100 metres south of the fort.⁷⁰

The other document that refers to the same Donatist martyr has been identified at Henchir Taghfaght.⁷¹ The building has not been described in detail but is generally referred to as a Christian sanctuary at the entrance of Mascula. In this case the dedication also refers to the cult of the Apostles Peter and Paul. The association with the Apostles has been interpreted as a later addition probably dating to the reappropriation of the church by the Catholic community. This process involved the association of Donatist martyrs with strong Catholic figures.

Another complex that may be connected to the Donatist church, and over which there has been long debate, is the baptismal found at Kelibia. The problem lies in the mosaic inscription on the baptistery, which refers to: '*S(a)n(ct)o beatissimo Cypriano episcopo antiste cum s(a)n(ct)o Adelfio presbitero huiusce unitatis Aquinius et Iuliana eius cum Villa et Deogratias*

65 For a discussion on this group of martyrs see Y. Duval 1986, 682–91.

66 Raynal 2005b, 760–1.

67 Masqueray 1878, 466–7 and De Rossi 1878–9.

68 Leschi 1957, 309–10. For a synthesis see Y. Duval 1982, 1.151–2.

69 Y. Duval 1982, 2.152: (cross) *H(i)c domus D(e)i no[stri Christi, h]ic avitatio Sp(iritu)s S(an)c(t)i P[aracleti??]/* (cross) *H(i)c memoria beati martiris Dei consui [E]mer[iti]./(cross) H(i)c exaudietur omnis q(u)i invocat nomen D(omi)ni omnipot[entis]. Cum homo miraris? D(e)o iubante meliora videvis. A.....XL (or I).*

70 Leschi 1957, 153.

71 Farges 1883, 19–34: *Hic e[st dom]/us [Dei, hic] memo[ria] apostol[or. et] beati Emeri/ti gloriosi/consulti.* See also Y. Duval 1982, 1.164.

prolibus tesellu(m) aequori perenni possuerunt. The identification of Cyprian has been the subject of much discussion. Duval proposes that the inscription refers to a homonym of the third-century bishop of Carthage.⁷² Courtois contested this identification on the basis that the inscription seems to refer to a local priest and bishop.⁷³ Both Duval⁷⁴ and, more recently, Raynal support the identification with the third-century bishop. Raynal extends his analysis of the Basilica of Uppenna to the Baptistery of Kelibia, highlighting in particular the presence and co-existence of the bishop Cyprian and the words *Pax*, *Fides* and *Caritas*. In connection with the baptismal font and the elements mentioned above, there is the idea of unity, which here refers to an attempt to stress the relationship between the two communities. Cyprian is seen as rising above the Catholic and Donatist dispute and so is relatable to both sides.⁷⁵ The idea of peace, faith and charity appearing on the edge of the baptistery refers to the response by Augustine to the Catholic hierarchy. The Donatists recall the figure of Cyprian because of their link to the baptism and the unity of their church. *Pax*, *Fides* and *Caritas* are instead elements that characterise the Catholic church itself.⁷⁶ Overall, it is arguable that in this (Byzantine?) process of reconstruction there also occurred a process of reappropriation of a Donatist building by the Catholic church.⁷⁷

Donatist Churches and Their Debatable Identification

In a few cases inscriptions have been found inside buildings, allowing for attempts at identification with the Donatist cult. One such case is a building excavated by Bérthier between 1930 and 1932. The church at Foug el Amba⁷⁸ (Wadi Rhezel) was located around one kilometre from a group of five churches. The building was a rectangle, organised to include three naves. At the end of the building were three steps leading to a large apse.

72 Y. Duval 1982, 1.57.

73 Courtois 1955.

74 He considers the issue on several occasions; see as the last in Y. Duval 1982, 1.186–7.

75 Raynal 2005b, 778.

76 Raynal 2005b, 781–2.

77 Raynal 2005b, 785.

78 Bérthier 1942, 76 and 207. Other speculations are also made on inscriptions on other churches in the same settlement, making reference to the *Domus Dei*, which Bérthier suggests may indicate a Donatist presence (207).

A door leading to two large rooms (2.10m × 5.70m) opened into the apse. The plan of the complex (as described) does not find any comparison in the region. Near the apse, in the internal part of the church, a grave containing one body was excavated, and towards the centre of the church another cavity was excavated that contained parts of two bodies. Another burial in a sarcophagus was also found in the internal part of the building. Among the architectural fragments of the structure was the inscription *Deo Laudes*.⁷⁹

A second church has been considered as dedicated to the Donatist cult for a period of its history. This church is located in the periphery of Thamugadi (Timgad). Here the original excavation unearthed a large complex identified as the Monastère de l'Ouest.⁸⁰ It was characterised by one large and one smaller church, a small chapel and a few structures identified as part of a residential area.⁸¹ Among the ruins of the church was found an inscription referring to the Donatist bishop of Thamugadi: '*Optatus: Haec jubente sacerdote dei Optato perfeci*'.⁸² The document is not a *memoria* and refers not to the presence of a martyr cult but instead to the building of the church by Optatus. It has been suggested that the reason for the continuity in presence and of the display of the inscription, even after the reappropriation of the building by the Catholic church, must be seen in connection with the importance and fame of the bishop.⁸³ This would have resulted in the same phenomenon that occurred in the cases of Marculus and, possibly, Saturninus, mentioned above. Owing to his fame, his dedication was left in place but associated with other powerful Catholic figures in order to reinforce the presence of the Catholic church.⁸⁴ However, it has to be considered that the inscription was found in the vestibule of the house annexed to the church, so it is possible that the reason the inscription was left in place was not related at all to the change in functionality of the church, as it was not visible to the people attending the cult. It may have been left in place out of convenience.

79 Bérthier 1942, 76–7.

80 Ballu 1921. Here the complex has been identified as the Monastère de Ouest. Germain 1969, 122: the inscription was found in the vestibule of the house. The baptistery of the complex is dated to around the end of the 4th century or the beginning of the 5th century. The inscription is in a mosaic.

81 Albertini 1939, 100–3.

82 Marrou 1962–5, 235–8.

83 Albertini 1939, 103.

84 For some discussion on this aspect see recently Dalvit 2013, 123.

The Funerary Rites and Funerary Evidence: Another Difficult Case

Other evidence has been recorded during excavation of the same complex in Thamugadi. An object similar to a tea strainer, probably a *colum*, was found inserted into the sarcophagus in the basilica of the same complex. The sarcophagus was found in the ground with only the lid emerging at floor level in the chapel annexed to one of the two churches. The *colum* was inserted in the lid, over a hole.⁸⁵ This evidence is linked directly to the practice of *refrigeria*. If this could be connected to the Donatist cult (as suggested by the founders), this would confirm the hypothesis already advanced for the cult of Marculus: that in the Donatist church the *refrigeria* continued to maintain its importance and did not follow the same path as in the Catholic church, which was progressively banning the practice.

Some funerary evidence has been identified, although its connection to church buildings and the Donatist presence has long been debated. This is the case for 65 rudimental inscriptions found at Djebel Nif-en-Nser (modern Ain 'Mlia). All were simply incised stones, but, owing to their location at the slope of a cliff, it has been suggested that they belong to the martyr cult of the *circumcelliones*, who committed suicide seeking martyrdom. This identification lies in the interpretation by some scholars of the letter 'R' as a reference to the term '*reditio*'. Those who support the idea of a martyr cult also call attention to the topographic nature of the location, at the bottom of a steep cliff.⁸⁶ In contrast, Duval has argued that this traditional interpretation cannot be supported.⁸⁷ The lack of specific references prohibits us from drawing definitive conclusions; it would, however, be very useful to have some archaeological evidence connected to the presence of the *circumcelliones*.⁸⁸ The nature of this community, characterised primarily by wandering monks, makes it impossible to single out archaeological remains with any certainty.

85 The object is now preserved at the Museum of Timgad. Marrou 1949.

86 Logeart 1940; Leschi 1940; and Bérthier 1942, 215–8. This idea has been recently reconsidered by Dalvit 2013.

87 Y. Duval 1982, 2.489.

88 An attempt at identifying remains attributable to the presence of the *Circumcelliones* has been made by Frend 1952, in which the *cellae* (where the *Circumcelliones* lived, according to the ancient sources) were shrines connected to the martyr cults with granaries where the *Circumcelliones* were fed.

Conclusions

A New Approach to Donatism: The Need for Regional Studies

It is archaeologically impossible to link the Donatist cult to any pre-existing local cult or concept of local ethnicity. It has to be pointed out, however (and perhaps future research will follow this direction), that the few pieces of archaeological data appear to be concentrated in very specific geographical areas. It is difficult to deduce whether this evidence results from these regions having a higher concentration of Donatist buildings and therefore better survival or whether it is biased by the way in which archaeological evidence has been collated. At the moment, the first hypothesis seems to be more realistic. It is important to consider the higher concentration in Numidia and the other evidence in Sitifiensis and in Tripolitania. These provinces were organised along very similar lines, with few urban centres and a wide rural landscape in which local tradition had remained very strong, even during the Roman period. These were also regions in which the presence of stable, independent nomadic and ethnic groups was very strong and where Catholicism probably struggled to find its way in an already well organised landscape. Even the Romans failed to change this existing landscape in its essential form.

We must challenge the idea that Donatism was strong in rural areas. It was equally present in urban areas, but in these contexts it was probably more counterbalanced by the Catholic presence, which was well established there. The majority of textual evidence that refers to the religious conflicts is of Numidian origin, and the image emerging from the analysis of these documents may not be appropriate for all regions of North Africa; this is the direction that future research needs to take. Unfortunately Numidia is understood primarily through texts, while other parts of North Africa, such as Proconsularis and Byzacena, are understood primarily from an archaeological point of view. The methodology of elaborating models from Numidian texts and applying them to other North African regions for which we have more archaeological data must be challenged. Traditional studies have already highlighted an important point: Numidia, the place where the Donatism movement was born, is the region where it is appropriate to call the movement 'the African church'. This is less the case in other regions of North Africa, where the balance between the two churches was almost even. This is reflected also in the progressive reduction of Catholic bishops in Numidia recorded before

the council in 411 CE. Clearly, the Catholics were struggling to maintain power in that region.

Is There an Archaeology of Donatism?

In terms of architectural layouts, the few examples of recorded data make it particularly difficult to attempt any categorisation. In addition to the dubious quality of the excavations, none of the churches remained in their original Donatist form, as each was repossessed by the Catholic church. Additionally, many of them underwent a phase of reconstruction in the Byzantine period, and little is left of the original layouts.

A few pieces of evidence seem to indicate that the Donatists practised or continued to practise the *refrigeria* in contrast to the Catholic church, which actively tried to stop such activity.⁸⁹

In a few cases inscriptions within churches allow us to suggest the presence of a process of reappropriation by the Catholic church. This process appears to have been carried out primarily through the manipulation of the cult of the martyrs. Donatists acquired martyrs that were Catholic by modifying their scriptural tradition, and the Catholic church engaged in the same practice. Particularly strong cults, such as that of Marculus, could not simply be removed, but had to be left in place. The same can be said of the presbyter Saturninus, whose Catholicisation occurs through an association with the Apostles, providing a clear Catholic link. The same principle is reflected in the cult of Stephen, connected to Maxima, Donatilla and Secunda. The acquisition by the Catholic church of the Donatist martyrs is certainly a reflection of the process of unification that started after the council in 411 CE. This process, in the absence of specific inscriptions witnessing it, makes the attempt to analyse archaeological evidence extremely difficult.⁹⁰

Apart from the presence of inscriptions that allow us to reconstruct the existence of the martyr cult, when only the structure of the church is

89 It is, for instance, attested by the episode of Augustine's mother wanting to celebrate a banquet in Milan, but the practice was forbidden by Ambrose. For more discussion on this aspect see Saxer 1980, 134–5.

90 If we take, for instance, the case of Thélepte, which in 411 had one Catholic and one Donatist bishop, we record the presence of seven churches and several chapels: see Gsell 1933. The lack of recent work in the city and probably the lack of specific 'Donatist' inscriptions make any speculation on the presence and location of the two religious community within the city impossible.

preserved it is impossible to clearly recognise a Donatist church. However, this is probably a more widely recognised problem: the difficulty inherent in creating an archaeology of buildings that are themselves the result of religious controversies.

DONATISM IN THE FIFTH AND SIXTH CENTURIES

Jonathan Conant

In 429 the Vandal army crossed to North Africa from Spain. Over the course of the following decade they conquered the prosperous southern Roman province, besieging Hippo Regius as the aging Augustine lay there dying in 430 and capturing the regional metropolis, Carthage, in October 439. The kingdom that the Vandals established in Africa lasted for nearly a century before falling to the armies of the East Roman or Byzantine emperor Justinian (527–65 CE).¹ Thereafter the region was once again integrated into the administrative and economic structures of the diminished empire for well over 100 years, but in the late seventh and early eighth centuries Africa was conquered once again, this time by the armies of Islam.²

These repeated reconfigurations of the African and Mediterranean political landscape profoundly reshaped the social context within which the sectarian struggle between Catholic Christians and their dissident or ‘Donatist’ rivals had thus far played itself out. However, determining the fate of the dissident church itself in the post-Roman period has proven to be an elusive goal. In no small part this is because in the fifth and sixth centuries the attention of our (now mostly Catholic) sources was sharply refocused on concerns that were far more pressing than Donatism: the Vandal kings’ embrace of homoian or ‘Arian’ Christianity profoundly threatened the local Nicene ecclesiastical hierarchy and, while the Byzantine regime restored the Catholic church to ascendancy, in the sixth and seventh centuries the African church repeatedly found itself embroiled in renewed empire-wide debates about the nature of Christian orthodoxy. Scholars from

- 1 On the Vandals, see Merrills and Miles 2010; Conant 2012, 19–195; Bockmann 2013, and Modéran 2014.
- 2 The standard synthesis on Byzantine Africa is still Diehl 1896. See also, more recently, Cameron 1982, 29–62; Merrills and Miles 2010, 228–55; Conant 2012, 196–361; and Stevens and Conant 2016. The study of early Islamic Africa is still in its infancy, but see Savage 1997; Fenwick 2013, 9–33; and, on the Islamic conquest, Kaegi 2010.

W. H. C. Frend to R. A. Markus to Brent Shaw have concluded that some kind of reconciliation between Catholics and dissidents probably took place in the Vandal or Byzantine period, though they differ as to its rapidity and thoroughness.³ Recently Eric Fournier has suggested that the more plausible settlement was between Donatists and Vandal-era Arians.⁴ Saying anything programmatic about Donatism in the fifth and sixth centuries is necessarily to build on a foundation of sand, though some kind of dissipation of sectarian tensions and piecemeal reconciliation does indeed seem likely. As we shall see, those tensions survived the initial Vandal invasion of Africa, but, after the fall of Carthage, dissident voices fall silent in the surviving sources, making their perspectives on the changing circumstances of the post-Roman period impossible to access and even calling into question the very survival of a dissident church in any meaningful sense of that term. However, Donatism did remain a concern of both Arians and Catholics, in a variety of polemical contexts, well into the sixth century. In one form or another, then, distinct dissident faith communities may well have continued to exist throughout the period of Vandal rule and into the Byzantine age, though it is probably misleading to think of them as being institutionally organised into a highly formal church structure that paralleled that of the Catholics or Arians. However, there was also doubtless a significant degree of reconciliation and intellectual cross-fertilisation between and among Donatists, Catholics and Arians. This, in turn, contributed to what was probably the most lasting legacy of the Donatist conflict: the perception on the part of outside observers – already evident at the end of the fifth century – that African orthodoxy was inherently suspect.

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In the Vandal era, our ability to reconstruct parallel narratives of the sectarian struggle that had riven late Roman Africa – narratives that tell the story of that conflict from both Catholic and dissident perspectives – breaks down entirely.⁵ What does seem clear is that sectarian tensions

3 Frend 1952, 300–14 sees such reconciliation as slower and less complete. Markus 1964, 118–26; 1991, 1:159–66; and Shaw 2011, 802–6 see it as quicker and more thorough.

4 Fournier 2012, 243–54.

5 On approaching contested pasts through parallel narratives, see Jacoby 2008.

survived into the turbulent decade of the 430s, even as Roman imperial power collapsed throughout the region. Moreover, such tensions could still erupt into acts of violence, at least on occasion. At any rate, a dissident consecrated virgin named Robba was said to have been killed by Catholics and thereby to have earned the dignity of a martyr on 25 March 434 at Ala Miliaria (mod. Bénian), in western Mauretania Caesariensis.⁶ Robba's tomb and the epitaph commemorating her elect status were erected by her brother, the Donatist bishop Honoratus of Aquae Sirenses, but it would appear that he was not alone in his appraisal of his sister's exceptional spiritual merits. For the next 12 years or more Robba's sepulchre was the focus of clerical *ad corpus* burials and, indeed, a church was also built over the site of her interment. Its crypt had a small window through which the faithful could place flasks of oil, pieces of cloth and other such objects to be sanctified by contact with the martyr's holy remains.⁷

The death of Robba is the last known act of violence between Catholic Christians and their dissident rivals in fifth-century North Africa. Yet it reveals a still-fractured sectarian landscape in which neither party appears to have developed a collective taste for reconciliation. To be sure, individual believers could still cross over the permeable boundaries that separated the two communities. Thus, for example, in mid-fifth-century Mauretania a certain Maximus left the Donatists for the Catholics and was promptly ordained bishop of his new community. The fact that he was a convert who had been elevated to the episcopate while still a layman raised some eyebrows in Rome, but Pope Leo I (440–61) conceded that Maximus could retain his bishopric as long as he sent the curia a statement of faith abjuring the 'schismatic depravity' of his former co-religionists.⁸ In general, though, what Brent Shaw has called 'sacred violence' seems to have continued to structure both the interactions between Christian communities and the modes of thought through which those interactions were understood well into the fifth century. When referring to Robba's killers, for example, Honoratus used the dissidents' term of art for their Catholic antagonists: the *traditores* or 'traitors'.⁹ The dissident *Liber genealogus*, which underwent a series of three revisions between 427 and 463, similarly continued to emphasise the betrayal of false Christians and the heroism of true witness

6 Gsell 1899, 25.

7 *Ad corpus* burial: Gsell 1899, 22, 26–7. Crypt: 39–42.

8 Leo I, *Ep.* 12.6, *PL* 54:653A.

9 Gsell 1899, 25.

both in North Africa and in Rome itself.¹⁰ Even in the face of the disturbances of the mid-fifth century, for dissident Christians the central facts necessary to make sense of the present were well-worn contentions about the past: that in the Great Persecution of 303–12 Bishop Mensurius of Carthage and his deacon Caecilian had burned both frankincense and the gospels as offerings to the false gods of the pagans; that at the same time in the city of Rome Bishop Marcellinus and his deacons Strathon and Cassian had committed these very same transgressions; and that events such as the conversion and accession of the first Christian emperor, Constantine (306–37), were not even worth mentioning, because as late as the year 400 the imperial state continued to persecute the community of true believers.¹¹ Contemporary Catholic authors likewise continued to nurse past enmities. At least, in his biography of Augustine, written in the 430s, Bishop Possidius of Calama rehearsed his party's longstanding grievances against dissidents (or, more precisely, against dissident *circumcelliones*), who were said to have prepared ambushes for Catholic clergy; to have blinded them by throwing lime and vinegar into their eyes; and to have robbed, tortured or murdered them.¹² As the old Roman political order collapsed across the Maghrib, Catholics and dissidents alike continued to reinforce local communal identities and to police sectarian boundaries by reprising the chief grievances of their faction against the other in a relentless effort to score the same rhetorical points against the same adversaries using the same well-worn anecdotes about the past.

Probably the greatest impact of the Vandal conquest of 429–39 on Africa's enduring sectarian struggle was, at least initially, to make Donatism a much more immediate concern to observers elsewhere in the empire. From 429 onwards Africans of all confessions dispersed throughout the Mediterranean, heading (in the West) above all to Rome, to the rest of Italy and to Gaul.¹³ Local ecclesiastical authorities could eye these newcomers with uncertainty or suspicion. At some point in the 450s, for example, Bishop Rusticus of Narbonne wrote to Pope Leo I, unclear as to what he should do with the North African refugees who had appeared

10 *Liber genealogus* 623 and 625–6, ed. Mommsen 1892, 154–96, at 195–6. On this text, see Dearn 2007, 127–35.

11 *Liber genealogus* 626–7, 196. On the accusation against Marcellinus, see Augustine, *C. Litt. Petil.* 2.92.202, ed. Petschenig 1949, 125.

12 Possidius, *Vita Augustini* 10 and 12, *PL* 32:33–66, at cols 41–2 and 43–4.

13 See Conant 2012, 83–6.

in his city and who did not know into which sect they had been baptised. In this instance the pope urged the bishop not to rebaptise the displaced faithful, but rather to integrate them into Catholic communion through the laying-on of hands and the invocation of the Holy Spirit.¹⁴ In the early sixth century Avitus of Vienne offered the same advice to Bishop Stephen of Lyon, who was similarly concerned about the incorporation into his flock of converts from Donatism.¹⁵ In the 490s Pope Gelasius I laid down guidelines for the ordination of bishops which further cautioned against the uncritical acceptance of Africans' claims to holy orders, since the region's expatriates often proved to be Manichees or *rebaptizati*, 'the rebaptised'.¹⁶ This was a Catholic term for Africa's dissident Christians, and – though in the Vandal age it was equally applicable to the region's homoian or 'Arian' population – Donatism specifically seems to have remained a concern in Rome into the early sixth century. Between c. 508 and 523 the Catholic theologian Fulgentius of Ruspe and his fellow African bishops sent the pious Roman noblewoman Stephania two letters on Donatism.¹⁷ Taken together, this handful of references suggests a rising level of anxiety in fifth- and sixth-century Italy and Gaul that dissident Christians were fleeing Vandal Africa and seeking to assimilate into Catholic society, including at the level of the ecclesiastical hierarchy.

This concern, in turn, serves as an important (if often overlooked) reminder that Africa's dissident Christians did not reject either the empire or its church out of hand. Quite the reverse: the social horizons of dissident and Catholic emigrants alike were intimately interwoven with the fabric of the larger Roman and post-Roman world in which they sought refuge. Rather, the two parties' sectarian struggle was deeply contextualised in the specific circumstances of late ancient African life, and was invigorated by regional memories and narratives of betrayal that had very little meaning elsewhere in the empire.¹⁸ When abroad, dissidents no less than Catholics could thus seek communion within the imperial church. Equally revealing is the fact that many of the Africans who showed up in

14 Leo I, *Ep.* 167.18, *PL* 54:1209A.

15 Avitus, *Ep.* 26, ed. Peiper 1883, 57.

16 Gelasius I, *Constitutio, quae episcopi in sua ordinatione accipiunt*, *PL* 59:137–8, at col. 137D.

17 Fulgentius of Ruspe, *Contra sermonem Fastidiosi Ariani* 10, ed. Fraipont 1968, 1:283–308, at 296. On Stephania, see *PLRE* 2:1028, s.n. with Stevens 1982, 327–41 at 335.

18 On narratives of betrayal, see Shaw 2011, 66–106.

Narbonne, at least, apparently claimed not to have known into which sect they had been baptised. Of course, this may have been an act of conscious forgetting on their part, or it might conceivably even be a measure of the success of imperial efforts to effect a reintegration of the dissident and Catholic churches in the wake of the Conference of Carthage in 411. Even at the height of the conflict, however, it is not entirely clear that questioning the typical African Christian about his or her baptismal sect would have resulted in very clear answers. Both sides rejected the labels with which their rivals sought to define their identities, whether as *traditores*, rebaptisers or Donatist heretics, and each side saw itself as the one true Christian church. Moreover, for all the sermonising and all the pamphleteering in which sectarian churchmen had engaged in the late Roman era, the specific grounds of their dispute may well have been something of which many rank-and-file Christians were only dimly aware.¹⁹ Erecting and maintaining borderlines between communities was the job of ideologues and polemicists.

Shortly after the Vandal capture of Carthage, however, the narratives of betrayal and brutality that had been so important to the construction and policing of sectarian boundaries in late Roman Africa fall silent in the surviving sources. Indeed, by the mid-fifth century the small spring of extant texts written by dissident authors appears to have run completely dry.²⁰ Catholics, by contrast, certainly continued to write; and, as we shall see, sporadic references to Donatists continue to pepper Catholic writings over the rest of the fifth century and down to the end of the sixth. However, from the collapse of imperial power in Africa until the 590s such references become more or less wholly heresiological in character. In the Vandal and Byzantine periods Catholic authors seem to have lost all interest in nurturing and sustaining communal memories of dissident violence.

This dissipation of the sectarian conflict's narrative impulses does not necessarily signify either the diffusion of Africa's social tensions

19 On 'rebaptism', see Whelan 2014, 1–18, at 11. On Catholics' labelling the dissidents as 'Donatists' and the dissidents' rejection of the label, see Shaw 2011, 342–7 and 561–4; on sermonising, pamphleteering and song-making, see 409–89; on *traditores*, see above, previous note.

20 On anonymous and pseudonymous literature that draws on a north African scriptural tradition and is datable to the late Roman, Vandal or perhaps Byzantine period, see Dossey 2010, 164–7. On the considerable similarity between dissident and Catholic theology, and thus the difficulties of determining the sectarian origins of such literature, see Shaw 2011, 420–1.

or the disappearance of its dissident church, though of course both are real possibilities. But in their endings, as in their origins, questions of political power – and above all of the mobilisation of the coercive resources of the state – were never far from the surface of Africa's late ancient theological controversies. In the fourth and early fifth centuries Catholic churchmen had successfully fought tooth and nail to gain the backing of the imperial court against their sectarian rivals in Africa, but this dispensation was undermined by the subsequent Vandal take-over of the region. For Catholics the sharp reality of the new post-Roman political order was that the boundaries most in need of shoring up were suddenly no longer those between themselves and the dissidents; they were the ones between Nicene and Arian Christians. Under the Vandal kings, the region's Catholic ecclesiastical hierarchy lost the privileges and some of the churches and other property that they had enjoyed under the imperial state, honours and holdings that were now granted instead to the homoian clergy. Still more distressing to Catholics was that the Vandal kings also actively sought to persuade their subjects to cross over to the homoian confession. Unaccustomed to such pressures, Catholic writers and preachers complained shrilly of their 'persecution' at the hands of the Arians. Yet we should not be misled by such rhetoric into believing that the Vandal conquest began a period of 'true religious war' in Africa.²¹ The Vandal kings did offer members of the regional elite certain enticements to change their confessional allegiances, most notably access to civil, military or ecclesiastical office; for non-conversion, the new rulers correspondingly threatened punishments such as the loss of property and status, exile, social humiliation and, in some cases, even torture, though (apart from the seven months between June and December 484) killings appear to have been rare. Even so, the sources leave little doubt that over the course of the Vandal century there was substantial conversion from Nicene to homoian Christianity.²² For the Catholic ecclesiastical hierarchy, then, securing a royal conversion or, at least, the cessation of the persecution was the top priority throughout the period of Vandal ascendancy. The struggle against the dissidents was correspondingly relegated in importance.

21 The quotation is from Shaw 2011, 802. On the Vandal persecution, see below, notes 22 and 23.

22 Modéran 2003, 21–44; Shanzer 2004, 271–90; Merrills and Miles 2010, 177–203; Conant 2012, 159–93. See also below, next note.

The legacy of the Donatist controversy nevertheless loomed large in late ancient Africa and continued to shape both legal and rhetorical strategies of regulating inter-communal boundaries into the Vandal age. As Eric Fournier has demonstrated, the tools and techniques of the Vandal persecution derived from the measures authorised by the late Roman emperors to suppress Donatism.²³ Catholic resistance was organised along lines that were strikingly similar to those that had proved so effective in the late Roman period, including the mobilisation of the faithful through polemical sermons and theological pamphlets.²⁴ At the same time, as Robin Whelan has shown, Catholic rhetoric emphasised the heretical similarity of Arianism and Donatism, insisting above all on both the provincialism of each of the heterodox movements in the face of Catholic pan-Mediterranean universality and the centrality of rebaptism to the definition of each sect's heretical *praxis*.²⁵

Dissident ideas also continued to shape the intellectual landscape of Christian Africa well into the fifth and sixth centuries. Augustine had set the tone in this regard in the late Roman period through his use of the dissident theologian Tychonius' seven rules for the interpretation of scripture.²⁶ In his own commentary on the Apocalypse, written sometime before c. 550, the Byzantine-era Catholic bishop Primasius of Hadrumetum likewise relied heavily on Tyconius' work.²⁷ Indeed, Leslie Dossey has recently and compellingly argued that the mid-sixth-century theological struggle between the eastern emperor Justinian and the Catholic North African episcopate (known to modern scholars as the 'Three Chapters Controversy') fundamentally centred on the bishops' assertion of their right as experts in divine law to read and critically interpret knowledge of all kinds, regardless of whether or not it met contemporary benchmarks for orthodoxy.²⁸ There is also some reason to believe that, in the Vandal period, homoian chronographers may have read, used and adapted the dissident *Liber genealogus* to their own purposes. The final edition of this text was almost certainly produced by someone outside the dissident faith community. Early recensions of the work, dating to 427 and 438, indicate

23 Fournier 2008.

24 See Conant 2012, 170–9; for the late Roman period, see Shaw 2011, 409–89.

25 Whelan 2014.

26 Augustine, *De Doc. Christ.* 3.92–3.135, ed. Green 1963, 104–17.

27 Primasius, *In Apocalypsin* prologus, ed. Adams 1985, 1–4.

28 Dossey 2016.

that at the turn of the fifth century, in the consulate of Stilicho, ‘persecution came to the Christians’ (*venit persecutio Christianis*). The recension of 463 makes a subtle but important alteration to this entry: ‘persecution came to the Donatists’ (*venit persecutio donatistis*).²⁹ Yet the dissidents never referred to themselves as Donatists and, indeed, they vehemently rejected the label at the imperially mandated Conference of Carthage in 411.³⁰ This in turn strongly suggests that the last reworking of the *Liber genealogus* was undertaken by one or another of the dissidents’ sectarian rivals. Though garbled in the eighth-century manuscript that preserves this recension, the final edition of the text retained the accusations of betrayal against the fourth-century Carthaginian bishop Mensurius that had been so central to the dissidents’ anti-Catholic polemic, and so this version is unlikely to have been written by an adherent of the church of the empire.³¹ By contrast, an opprobrious reference to the Vandal king Geiseric (428–77), added to the text in 438, was removed in the recension of 463, while the Roman Empire – from Julius Caesar all the way down to the ‘final shipwreck’ under Valentinian III – was associated with the fourth kingdom of the vision of Nabuchodonosor interpreted by the Old Testament prophet Daniel.³² The implication would seem to be that the Vandal kingdom was the fifth and final kingdom, sent by God to crush all others and to stand forever (see Daniel 2:40–5). If so, then it seems likely that the recension of 463 represents an ‘Arianising’ of the text of the dissident *Liber genealogus*. When taken together with the fact that, in the Vandal era, Arian preachers were also said to have borrowed ideas from their Catholic interlocutors, and Catholics were clearly at pains to try to refute Arian arguments, the intellectual atmosphere of fifth- and early sixth-century North Africa increasingly appears to have been characterised by an (often polemical) interplay of ideas between the region’s competing Christian communities, each of which was engaged in an intense and heated debate with the others.

Our lack of dissident sources written after c. 440, however, renders the fate of their community itself irremediably obscure to us in the post-Roman period. The little that we can say is that, unlike their one-time Catholic rivals, by the end of the fifth century dissidents do not seem to have been

29 *Liber genealogus* 627, p. 196.

30 Shaw 2011, 342–7, 561–4; *pace* Dearn 2007, 131.

31 *Liber genealogus* 626, p. 196.

32 *Liber genealogus* 441 (L), 182 (Roman Empire) and 618 (F), 195 (Geiseric); for the author’s apocalyptic vision of time, see Dearn 2007, 132–3.

regarded by the Vandal administration as a major threat to the theological unification of the kingdom behind the homoian creed. At least, in the form in which it has come down to us, the edict of persecution issued in 484 by the Vandal king Huneric (477–84) specifically targets ‘homooousians’ – Nicene Christians – while making no mention whatever of Donatists.³³ Nonetheless, it seems unlikely that there was ever a systemic assimilation of the dissidents into either the Catholic or the Arian church. To be sure, the boundaries between Christian communities remained porous in the fifth and sixth centuries.³⁴ As we have seen, individuals such as Bishop Maximus could still cross over from the dissidents to the Catholics.³⁵ Others entered the Arian church instead: according to the final passage in Victor of Vita’s Catholic (and highly polemical) *Historia persecutionis Africanae provinciae*, a certain Nicasius was said to have turned from the dissidents to the homoians and to have been punished for his double transgression with a horrible death that left his corpse rotten and crawling with maggots.³⁶ Indeed, already in 417 Augustine had claimed that some rogue dissidents sought to ingratiate themselves with powerful Gothic Arians – presumably at this point officers in the Roman army – by claiming that the two held the same beliefs.³⁷ If the bishop’s allegations were true, these dissidents’ theological flexibility might have created a space in which the two churches could subsequently have found a significant measure of accommodation during the period of Arian ascendancy in Africa.³⁸ Yet even Augustine conceded that in his day this position was a minority view: most dissidents accepted Nicene orthodoxy with respect to the Trinity, and even those who saw the Father as being greater than the Son nonetheless agreed that the persons of the godhead shared a common nature (*substantia*).³⁹ Moreover, at the time of the Vandal conquest the sole dissident whose

33 Victor of Vita, *Historia persecutionis Africanae provinciae* 3.3–14, ed. Petschenig 1881, 72–8. The protocol, textual structure, language and rhythmic prose of the law parallels that of contemporary Roman documents: Classen 1977, 109.

34 Markus 1964, 119–20; Markus 1979, 1–15, esp. 7; Markus 1991; Shanzer 2004, 287; Fournier 2012, 254.

35 See above, n. 8.

36 Victor of Vita, *Historia persecutionis* 3.71, p. 107. The passage may have been interpolated into the text; but even so the interpolation makes the most sense in a late fifth- or early sixth-century context.

37 Augustine, *Ep.* 185.1.1, ed. Goldbacher 1911, 2.

38 On this idea, see Fournier 2012.

39 Augustine, *Ep.* 185.1.1, pp. 1–2. Augustine does not seem to have been deluding himself on this point: see Shaw 2011, 420–1.

voice we can still hear regarded the invaders with the same apocalyptic apprehension as did his Catholic compatriots: in 438, the editor of the *Liber genealogus* showed how the numerological value of the name of the Vandal king Geiseric equalled 666, the number of the beast in Revelations 13:18.⁴⁰ (This was the opprobrious remark that was scrupulously removed from the later, possibly Arian recension of 463.) Whatever resolution may have been worked out between dissidents and homoians in the Vandal age, it probably first had to overcome fairly significant hostility. The Vandal persecution could conceivably also have led to a degree of reconciliation between Catholics and dissidents within a few generations of the conquest. Though African bishops had long struggled to persuade their flocks that it was the cause, not the suffering, that made the martyr, the willingness of some Catholics to undergo excruciating physical punishment – on occasion even to the point of death – in witness to their faith may have led Christian dissidents to look on their erstwhile rivals with some admiration.⁴¹ This, in turn, may have done much to tear down the communal boundaries that sectarian ideologues had struggled so hard to erect over the course of the fourth and early fifth centuries.

Porous confessional boundaries, however, are not the same thing as wholesale ecclesiastical reconciliation and reintegration. Indeed, given the intense vitriol that Catholic controversialists could muster in their anti-Arian polemics, it would be surprising not to hear of anything more than a single conversion – however prominent – if these authors thought that charges of systemic collusion between dissidents and homoians would stick. The story of Nicasius furthermore suggests that to Catholics, at least, ‘Arians’ and ‘Donatists’ remained conceptually distinct categories into the 480s or later. Perhaps more to the point, in a sermon delivered sometime after c. 508 the homoian preacher Fastidiosus challenged the errors of both Nicene and Donatist Christians, not only demonstrating that his own community maintained a similar distinction between those two sects but also suggesting that as late as the sixth century Arians also still did not self-identify with the dissident church.⁴² Catholics too occasionally engaged in anti-Donatist (as opposed to anti-Arian) polemic into the mid-sixth century. Indeed, Fulgentius of Ruspe even alleged that the letters he and his fellow Catholic bishops had written to the Roman

40 *Liber genealogus* 618 (F), 195.

41 Shaw 2011, 612–23.

42 Fulgentius of Ruspe, *Contra sermonem*, ed. Fraipont 1968, 280–3.

noblewoman Stephanian were the source of Fastidiosus' arguments against the dissidents.⁴³ This in turn suggests that Catholics likewise still regarded the dissidents as a community that was distinct both from their own and from that of the Arians.

Polemical texts such as these must, of course, be treated with caution. Within Catholic circles rhetorical accusations of Donatism could be thrown around in an attempt to delegitimize an opponent. This was a tactic in which, for example, the *scholasticus* Mocianus engaged after the Byzantine reconquest of Africa when he sought to undermine the credibility of local opponents to the high-handed ecclesiastical policies of the emperor Justinian.⁴⁴ Indeed, over the course of the Vandal century and beyond, the primary accusation levelled by Catholics against Donatists was that they split themselves off from the universal communion of fellow-believers. To Quodvultdeus, the fifth-century bishop of Carthage writing in exile in southern Italy, dissidents were a leprosy (*lepra*) within the body of the church.⁴⁵ To an anonymous preacher more or less contemporary with Fulgentius of Ruspe, the central threats to the Christian faith came from Arians, Manicheans and Donatists, the latter because they split the community of believers.⁴⁶ Facundus of Hermiane, writing under the Justinianic regime, similarly felt that the dissidents had separated themselves from the universal church, rejecting all but its very oldest decrees.⁴⁷ Criticisms based on theology or ritual practice were rarer, though Fulgentius/Fastidiosus felt that dissidents did not acknowledge the power of baptism to free humans from the burdens of inherited sin.⁴⁸

While Donatism remained a convenient set-piece of Christian controversialist rhetoric, the evidence is more ambiguous as to whether the sect and its adherents continued to be a practical concern. In the wake of the Byzantine reconquest of Africa Catholics were in no mood to conciliate their erstwhile sectarian rivals. In August 535 Justinian issued a law for the newly reintegrated province that banned Arians, Donatists, Jews and other religious dissenters from public office, forbade them to worship

43 Fulgentius of Ruspe, *Contra sermonem* 10, ed. Fraipont 1968, 296.

44 Facundus of Hermiane, *Contra Mocianum scholasticum*, in *Opera Omnia*, ed. Clément and van der Plaetse 1974, 399–416.

45 Quodvultdeus of Carthage, *Liber promissionum et praedictorum dei* 2.6.10, ed. Braun 1976, 81.

46 Pseudo-Fulgentius, *Sermo* 2.7, ed. Fraipont 1968, 958.

47 Facundus of Hermiane, *Contra Mocianum scholasticum* 8, 402–3.

48 Fulgentius of Ruspe, *Contra sermonem* 4–6, ed. Fraipont 1968, 282–3.

and confiscated their churches and synagogues.⁴⁹ The move marked a sharp reversal of Justinian's initial religious policy in Africa, which had emphasised compromise, conciliation and political pragmatism in the process of re-establishing the ascendancy of the Nicene church. However, the region's Catholic bishops were still outraged at the treatment they had suffered under the Vandals' homoian regime. Bowing to pressure from this quarter as well as from the pope in Rome, the emperor reversed course and mandated the more severely repressive measures of 535.⁵⁰ As in the Vandal period, though, the central issue at stake in early Byzantine Africa was unquestionably the relationship between the Catholic and Arian churches. The emperor's inclusion of Donatists, Jews and other non-Nicene Christians in his law may simply have been an effort to save face with respect to his reversal of policy under western ecclesiastical influence by reframing the issue as one of general importance.⁵¹ But it is equally possible that the emperor's inclusion of these other religious dissenters in the law was itself the result of African lobbying. Certainly, Justinian does not seem to have been even remotely concerned with Donatism prior to 535. The rescript that he sent to the conquering general Belisarius upon the collapse of the Vandal kingdom in 534 focused entirely on the threat that the Vandals – and thus, presumably, Arianism – had posed to Nicene orthodoxy in Africa.⁵² Arianism, not Donatism, is also the exclusive focus of the ample contemporary historical literature inspired by the reconquest and at least in part shaped by the imperial propaganda surrounding it.⁵³ It is also striking that sometime before 545 the Carthaginian deacon Ferrandus collected no fewer than six canons relevant to the reconciliation and reintegration of Donatists into Catholic society for inclusion in his *Breviatio canonum*, canons mandating a period of penance for converts, forbidding their rebaptism, regulating the assimilation of their clergy and allowing for the subsequent ordination of those of them who had been baptised within the dissident church as children.⁵⁴ However, here too the

49 Justinian, *Nov.* 37, ed. Schöll and Kroll 1895, 244–5.

50 On this law, see esp. Saumagne 1913, 77–87; Merrills and Miles 2010, 248–51; and Conant 2012, 320–1.

51 Saumagne 1913, 86; Merrills and Miles 2010, 251.

52 *Cod. Just.* 1.27.1.1–9, ed. Krueger 1906, 77.

53 Our principal historical source for the Byzantine reconquest is Procopius, *De bello Vandalico* (= *De bellis libri iii–iv*), ed. Hauriy 1905; repr. 1962; on his contemporaries and their versions of events, see Conant 2012, 306–9.

54 Ferrandus, *Breviatio canonum* 50, 175, 189–91, and 193, ed. Munier 1974,

real issue at stake may have been the rehabilitation of former Arians, a major concern in early Byzantine Africa, for which the reconciliation of Donatists would have provided an expedient model.⁵⁵

After c. 550 we hear nothing more about dissidents or their church in any of the African sources. Two or three generations later, however, Donatism was once again a concern of Pope Gregory I (590–604) in Rome. As R. A. Markus has persuasively argued, the pontiff's letters reveal a considerable degree of accommodation between Catholics and their rivals in late sixth-century Numidia.⁵⁶ Gregory had heard, for example, that Catholics were allowing their children, slaves and other dependents to be baptised by Donatists.⁵⁷ Two deacons from the see of Lamigensis claimed that, in exchange for a bribe, their local bishop had placed Donatists over them in their churches.⁵⁸ Bishop Maximian of Pudentiana was even accused by his deacons of having allowed the ordination of a dissident bishop in his own town, also in exchange for a bribe.⁵⁹ Yet here, again, it is hard to know how far to credit such accusations. In addition to the general difficulty of discerning what, precisely, 'Donatism' may have signified in a late sixth-century context, some of Gregory's informants – most notably a certain Paul, the bishop of an unknown see in Numidia – proved to be sources of, at best, dubious reliability. Moreover, as the pontiff himself was well aware, claims of corruption levelled by lower clergy against their bishops could, at least occasionally, reflect the bitterness of frustrated ambitions or other resentments specific to local society. Then,

284–311, at 291 and 302–3. Concerns about Donatism may also have been at stake in the iconography of the sixth-century baptismal font from Kélibia: Palazzo 1992, 102–20. However, the emphasis on baptism in the Byzantine-era building programme in Africa seems in general to have addressed disputes over the practice between Catholics and Arians, rather than those between Catholics and Donatists: see Merrills and Miles 2010, 241–8.

55 On the reconciliation of Arians in sixth-century Africa, see *Collectio Avellana* 85–7, ed. Günther 1895, 328–33.

56 On 'Donatism' in the letters of Gregory I, see esp. Markus 1964; Markus 1991; Y. Duval 1991, 35–77; and Cohen 2010, 125–46. Frend 2004, 259–69 similarly sees in the expansion of eastern saints' cults into the Numidian hinterland growing accommodation between local Christianity and the empire. On the African church in general in the Byzantine period, see further Markus 1966, 1404–9; Markus 1972, 21–36.

57 Gregory I, *Ep.* 6.36, ed. Norberg 1982, 2 vols, CCSL 140–140a, 1:411.

58 Gregory I, *Ep.* 1.82, 1:89.

59 Gregory I, *Ep.* 2.39, 1:125.

too, the threat of Donatism had been a special worry of Gregory's from the very beginning of his pontificate: among his earliest letters to Africa was a plea to the regional exarch or governor-general, Gennadius, to suppress the sect and a separate injunction to the bishops of Numidia forbidding them to allow converted Donatists to accede to the primacy of their ecclesiastical province.⁶⁰ Africans petitioning the curia may well have sought to play on the pontiff's anxieties in this regard, buttressing their cases with deceptive rhetorical appeals to the threat of resurgent heresy. Perhaps significantly, after 596 Gregory let the topic of Donatism drop: his letters never again mention the issue, despite the fact that he continued to correspond with representatives of the African – and even the Numidian – church for years to come. Even so, Gregory's last word on the subject was a letter to no less a figure than the emperor Maurice (582–602), informing him that, in Rome, African bishops complained that imperial laws against the Donatists were being neglected in their home provinces.⁶¹ Indeed, it bears some emphasis that, whatever social reality it reflects, Gregory's correspondence testifies not just to a remarkable level of accommodation but also to the existence of very real communal tensions in late sixth-century Numidia. Even setting aside the unreliable Bishop Paul and the complex manoeuvrings in which he was involved, the deacons of Lamigensis begrudged the preferential advancement of their allegedly Donatist rivals so much that they chose not only to pursue their complaint at the papal curia but also to accuse their bishop of a crime so heinous (*nefas*) that Gregory was not willing to mention it by name in his response.⁶² These accusations may have been little more than calumnies born of personal animosity, but the ordination of a second bishop in Maximian's home town seems to speak to the existence of a distinct faith community of some sort that was not content to worship with the Catholic bishop or his representatives. Moreover, Gregory had also heard reports of dissidents ejecting Catholic priests from their churches and rebaptising those who had been baptised into the church of the empire.⁶³ Whatever 'Donatism' had come to mean by Gregory's day, the porousness of its boundaries with mainstream Numidian Catholicism is certainly palpable in the pontiff's letters, but that does not mean that

60 Gregory I, *Ep.* 1.72 and 1.75, 1:80–1 and 1:83–4.

61 Gregory I, *Ep.* 6.64, 1:439–40.

62 Gregory I, *Ep.* 1.82, 1:89.

63 Gregory I, *Ep.* 4.32, 1:251–2.

such boundaries did not exist at all, or that those who crossed them always did so unselfconsciously.

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In the centuries following the Vandal conquest of Africa the fate of the dissident church is deeply uncertain. The last sources clearly written by dissidents that survive to us reflect a sectarian fissure in African society that was fundamentally unchanged from the late Roman period; but these voices fall silent by the 440s, just as the region's Vandal rulers were beginning to consolidate their hold on their recently captured kingdom. However, the disruption of the late Roman political order did quickly change the dynamics of Africa's sectarian conflict in at least two important ways. First, the flight of African refugees spread anxieties about Donatism across the western Mediterranean to regions such as Gaul and Italy that had previously been more or less insulated against such concerns. Second, the Vandal kings' revocation of state sponsorship from the Nicene church and their extension of patronage instead to the homoian one ensured that Africa's dissident Christians were no longer seen by local Catholics as their primary sectarian rivals. Now Arians were. This fact, no less than the death of Augustine in 430, explains why the flow of late Roman anti-Donatist literature slowed to the merest of trickles in the Vandal age, even as African Catholic churchmen began to produce a flood of anti-Arian polemic. The Vandals' Arianising policy – which was closely modelled on imperial efforts to suppress Donatism – may also have served to encourage dissidents to assimilate into either the homoian or the Nicene church. We do know that there was widespread Catholic conversion to Arianism in the Vandal period, and it seems reasonable to suppose that dissidents crossed over in substantial numbers too; but at the same time admiration for the physical sufferings of those Nicene Christians who clung fast to their faith may also have helped break down whatever still remained of the dissident–Catholic divide. Nevertheless, over the course of the Vandal century both Arians and Catholics continued to think of Donatists as a separate, third Christian sect, against whom both also continued to engage in rhetorical debate, at least occasionally in precisely the same terms. Yet the idea of Donatism had also become a way for Catholics, at least, to think about those who, in their view, split the church. It is perhaps not surprising, therefore, that after the Byzantine conquest of 533–4 the Catholic hierarchy – both in Africa

and in Rome – seems once again to have become interested in defeating and assimilating Donatists, however shadowy their actual existence was. Whatever reconciliation did take place in Africa between dissidents and Catholics (or, for that matter, Arians) was probably piecemeal, highly contingent and deeply contextualised in local circumstances. Ultimately, the lesson of Donatism in the fifth and sixth centuries may well be the longevity of the sectarian fracture once established – whether on the ground or in the realm of ideas – and the long-term difficulty of any kind of wholesale reconciliation within the African church.

It also seems likely that the difficulty of sifting through this process – the difficulty of telling who was a right-thinking Catholic and who was not – from across the Mediterranean contributed to a sense that the orthodoxy of African Christianity was inherently suspect. This certainly seems to have been the reaction of a string of eastern emperors when confronted with African recalcitrance on a variety of Christological issues in the sixth and seventh centuries.⁶⁴ Equally important in this regard is the fact that Gelasius' caution about accepting Africans' claims to holy orders was preserved and repeated in papal circles all the way down to the eleventh century.⁶⁵ Despite the survival of Christianity in the region well into the Middle Ages, this state of affairs seems to have left Africa increasingly relegated to the margins of Christendom, especially after the Islamic conquest.

64 For a recent overview, see Conant 2012, 316–30 and 353–9.

65 See Gregory I, *Ep.* 2.31, 1:117–8; Gregory II to Boniface (= Boniface, *Epistula* 18), ed. Dümmler 1892, 267–8, at p. 267; *Liber diurnus romanorum pontificum*, ed. von Sickel 1889, 6; Nicholas II, *Epistula* 25, *PL* 143:1346–7, at col. 1347A.

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